

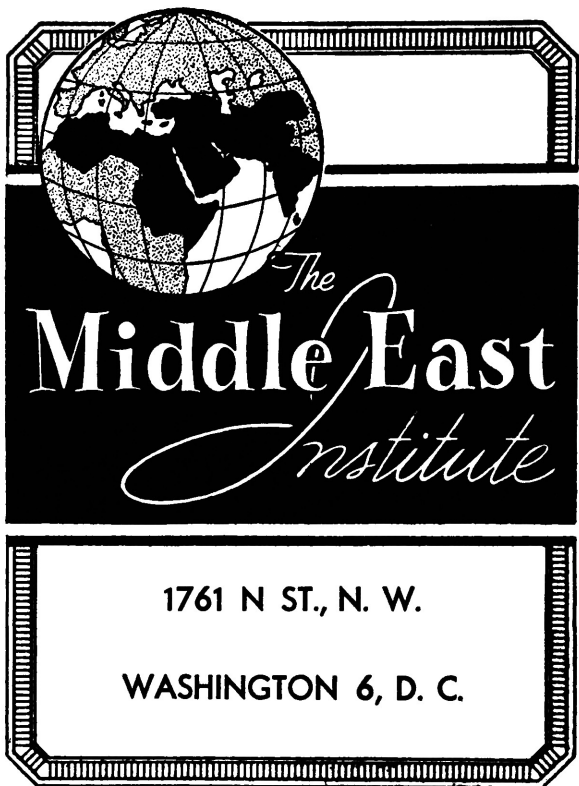
TREATY WITH THE  
SUBLIME PORTE

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1832



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TREATY WITH THE SUBLIME PORTE.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*Copies of the correspondence relating to the negotiation of the Treaty with the Sublime Porte, &c. &c. &c.*

MAY 29, 1832.

Read, and laid upon the table.

WASHINGTON, May 29, 1832.

*To the House of Representatives:*

In compliance with the resolution of the House of the 27th of February last, requesting copies of the instructions and correspondence relating to the negotiation of the treaty with the Sublime Porte, together with those of the negotiations preceding the treaty, from the year 1819, I transmit, herewith, a report from the Secretary of State, with the papers required.

ANDREW JACKSON.

DEPARTMENT OF STATE,

Washington, May 25, 1832.

The Secretary of State, to whom has been referred, by the President, a resolution of the House of Representatives of the 27th of February last, requesting the President, "if, in his judgment, not incompatible with the public interest, to cause copies of the instructions and correspondence relating to the negotiation of the treaty with the Sublime Porte, together with those of the negotiations preceding the treaty, from the year 1819, to be laid before this House," has the honor to submit to the President copies of the instructions and correspondence requested.

Respectfully submitted:

EDW. LIVINGSTON.

To the PRESIDENT of the United States.

*List.*

- Copy. General passport to Luther Bradish from Mr. Adams, Secretary of State, dated April 15, 1820.
- " Special passport to the same from the same, April 18, 1820.
- " Mr. Bradish to Mr. Adams, December 20, 1820.
- " Mr. Adams, Secretary of State, to Mr. G. B. English, April 2, 1823.
- Extract. Mr. English to Mr. Adams, August 6, 1823.
- " Same to same, November 23, 1823.
- " Same to same, December 27, 1823.
- Extracts. Same to same, February 8, 1824.
- Copy. Same to same, May 14, 1824.
- " Mr. Adams to Mr. English, January 3, 1825.
- " Same to Capt. John Rodgers, February 7, 1825.
- " Same to same, February 9, 1825.
- " Mr. Clay, Secretary of State, to same, September 6, 1825.
- " Mr. Brent, Chief Clerk of the Department of State, to same, September 7, 1825.
- " Capitulations—translations.
- Extract. Capt. Rodgers to Mr. Clay, August 31, 1825.
- " Same to same, October 14, 1825.
- Copy. Same to the Capudan Pasha, September 20, 1825.
- " Same to Mr. Brent, November 5, 1825.
- " Same to Mr. Clay, November 5, 1825.
- Extract. Same to same, December 25, 1825.
- " Mr. Offley to Captain Rodgers, November 30, 1825.
- Copy. Captain Rodgers to Mr. Clay, July 19, 1826.
- Extract. Same to same, February 14, 1827.
- Copy. Mr. Offley to Mr. Clay, November 25, 1825.
- Extract. Same to same, November 26, 1827.
- Copy. Same to same, February 17, 1828.
- Copy. Translation of a paper in Turkish, written at Constantinople, February 7, 1828.
- Extract. Mr. Offley to Mr. Clay, April 22, 1828.
- Extracts. Mr. Navoni to same, January 24, 1828.
- Copy. Mr. Bradish to Mr. Navoni, February 7, 1821.
- Translation of a summary narrative of communications with the Sublime Porte.
- " Danish Convention.
- Translation, Mr. Jong to Mr. Navoni, November 3, 1827.
- " President Adams, full power to Captain Crane and Mr. Offley, July 21, 1828.
- " The President to Mr. Offley, July 21, 1828.
- " Same to Captain Crane, July 22, 1828.
- " Same to Mr. Wyer, July 24, 1828.
- " Same to Mr. Southard, Secretary of the Navy, July 23, 1828.
- " Same to Captain Crane and Mr. Offley, July 24, 1828.
- " Mr. Southard to Mr. McCall, July 23, 1828.
- " Same to Captain Crane, July 23, 1828.
- " Same to Captain Parker, July 23, 1828.
- " Mr. Van Buren, Secretary of State, to Captain Biddle, Messrs. Offley and Rhind, September 12, 1829.

- Copy. Mr. Offley to President Jackson, August 9, 1829.  
 " Commission and full power to Biddle, Offley, and Rhind, August 12, 1829.  
 " The President to Mr. Branch, Secretary of the Navy, September 12, 1829.  
 " Mr. Branch to Captain Biddle, September 12, 1829.  
 " Same to Richard McCall, September 12, 1829.  
 " Mr. Van Buren to Captain Biddle, September 12, 1829.  
 " Same to Mr. Rhind, September 29, 1829.  
 " Mr. Rhind to the President, May 10, 1830.  
 " Same to the Secretary of State, June 1, 1830.  
 " Captain Biddle and Mr. Offley to the President, June 8, 1830.

*Passport to Mr. Luther Bradish.*

UNITED STATES OF AMERICA,

*To all to whom these presents shall come, greeting:*

The bearer hereof, Luther Bradish, esquire, being about to visit different foreign countries, with the view of gratifying a commendable curiosity, and of obtaining useful information, these are therefore, in a special manner, to request all whom it may concern, particularly all foreign States, powers, or potentates, and their officers, to permit the said Luther Bradish to pass freely, without molestation, in going, staying, or returning, and to give him all friendly aid and protection, as these United States would do in like cases.

In faith whereof, I have caused the seal of the Department of State of the United States to be hereunto affixed.

Done at the city of Washington, this fourteenth day of April, 1820, and of the independence of these States the forty-fourth.

[SEAL.]

J. Q. ADAMS,  
*Secretary of State.*

THE UNITED STATES OF AMERICA,

*To all to whom these presents shall come, greeting:*

Whereas, Luther Bradish, of New York, a native citizen of the United States, has been appointed, by the President of the United States, their agent for collecting such information in foreign countries, in relation to the commerce of the United States, as may prove useful and interesting to them, and for communicating it to this department: These are, therefore, to pray all whom it may concern, to permit him, the said Luther Bradish, the bearer, to pass wheresoever his pursuits may so call him, freely and without let or molestation, in going, staying or returning, and to give him all friendly aid and protection, as these United States would do in like cases.

In faith whereof, I have caused the seal of the Department of State to be hereunto affixed. Done at the city of Washington, this eighteenth day of April, A. D. 1820, and of the independence of the United States the forty-fourth.

[SEAL.]

JOHN QUINCY ADAMS,  
*Secretary of State.*

*Mr. Bradish to Mr. Adams, Secretary of State.*

CONSTANTINOPLE, 20th December, 1820.

**SIR:** In availing myself of the permission obligingly granted me by you, previous to my leaving Washington in April last, I cannot flatter myself with the idea of adding much to the information already possessed by you, upon the subjects relating to the interests of the United States embraced in this communication. I hope, however, at least to testify my attachment to those interests, and to evince my readiness at all times to contribute whatever may be in my power towards their promotion:

The inquiries here, in which the United States are particularly interested, are:

1st. Would the interests of the United States be promoted by a treaty of amity and commerce with the Sublime-Porte? If so,

2d. Is the conclusion of such a treaty practicable? And, if so,

3d. What is the most eligible mode of accomplishing this object?

After a residence of only a few months within the Turkish dominions, for me to attempt even to form, and more particularly to express an opinion on a subject so important in its nature, and so extensive in its relations, as that embraced in the first of the above inquiries, would be to hazard extreme error at least, if not the highest degree of presumption. Sources of correct information upon this interesting subject are here few, and those difficult of access. Loose and vague statements are current in every circle, and are as various as they are generally incorrect. A few days' residence only, would be sufficient to enable any person of tolerable industry to collect these, but when embodied, they would form a basis too frail and uncertain upon which to rest the decision of a question so important as that under consideration. Upon this first question, therefore, although in its nature preliminary to the other two, I must beg leave to reserve myself until more extensive observation and inquiries, and better information, shall enable me to communicate with you thereon, in a manner better suited to its difficulty, and more becoming its importance, than is at present in my power.

I will, however, add, that the strong impressions in favor of the affirmative of this first question, with which I left the United States, have been much strengthened by what I have myself observed, and by the best information I have been able to derive from others since my arrival here.

Notwithstanding, then, the first of the above questions is in its nature preliminary to the other two, and a decision thereon in the negative would supercede the necessity of any discussion of the two latter, I shall take the liberty of communicating now the result of my observations and inquiries relating to the second and third of these questions. I am the more inclined to do this at the present time, not only because I am impressed with the idea that the United States are already satisfied in the affirmative of the first question, but also from the nature of what has occurred since my arrival in this place. And here, sir, I beg your indulgence, while I premise a few particulars which relate to myself individually. Upon my arrival at Gibraltar, Leghorn, Naples, Malta, Smyrna, and this place, I found a report currently circulating that the object of my visit here was to conclude a commercial treaty between the United States and the Sublime Porte. This report, some months previous to my arrival, had reached this place from various parts of Europe, and coming from different quarters of the United States. I cannot express to you, sir, the painful surprise and mortification I experience at

the existence of this report, and am altogether at a loss to conjecture what can have given rise to it. So far from having, in the slightest degree, justified such a report by any unguarded act or expression of mine, I have uniformly observed the most vigilant prudence upon this subject, and have used every means in my power to suppress the report, both by expressly contradicting it, and declaring, on all occasions, that my objects here, as elsewhere, were merely those of a private individual, travelling for my own gratification and improvement. Even the special passports which the Government were so obliging as to grant me previous to my leaving Washington, I have avoided exhibiting to any person whatever, except Commodore Bainbridge, since I received them from yourself, lest, with persons unacquainted with their real nature, they should give the slightest color to the report, and contribute to its currency. But, notwithstanding all these precautions, the report still continues to circulate. I am sorry to be compelled, sir, thus to mingle my own affairs with those of general interest. But have deemed the communication of the above particulars, due to myself, and trust you will excuse the departure thereby occasioned from the main subjects of my letter, to which I now gladly return.

Taking, then, the affirmative of the first question for granted, I shall proceed to communicate now the result of my observations and inquiries relating to the second and third of the affirmative of the second question. So far as it may depend upon the present dispositions of the Sublime Porte, there can be no doubt. That disposition has been not only clearly indicated by many unequivocal circumstances, but expressly and repeatedly declared by the Government itself to me since my arrival here. Some days after I reached this capital, and previous to my having had any communication whatever with any department of this Government, I received a message from the Porte, inviting me to a private interview with the Reis Effendi, Minister of State for Foreign Affairs. Although much surprised at the receipt of this invitation, I had no hesitation in accepting it. In the result, I found the object of the interview was to inquire the disposition of the United States in regard to a treaty of amity and commerce with the Porte; and, also, their views as to the mode of negotiating such a treaty. Upon both these points much interest was evinced, and upon the latter considerable solicitude, produced probably by a report prevailing here that the United States contemplate negotiation with this Government through the mediation of Russia. I know not upon what authority this report may have originated, but I have strong reasons to believe that this course would be very unacceptable to the Porte, and probably unsuccessful. Although all persons connected with this Government, with whom I have conversed upon the subject, have, on all occasions, seemed much in favor of a treaty of amity and commerce with the United States, they have appeared equally in favor, indeed very tenacious of direct negotiation. Hence, then, arises the third question proposed.

In the few observations which I shall take the liberty of submitting to your consideration upon this question, I have not the boldness of presuming to enlighten your own or the wisdom of our Government; and trust this will not be considered by either as an attempt to instruct the latter in the most eligible mode of conducting its negotiations, but as the humble endeavors of an individual, by communicating such information as circumstances and his peculiar situation have put in his possession, to discharge the duty incumbent on every citizen of the United States to contribute whatever may

be in his power, however little that may be, towards the promotion of the interests of his country.

From all I have observed of this Government and people, I am well convinced that the success of any overtures the United States may hereafter make to the Sublime Porte, will depend much upon the manner in which the Porte is in the first instance approached. It has heretofore been usual for individuals and nations in their first applications to the Sublime Porte, to approach it under the auspices, and through the mediation of some intermediate power already having friendly relations with it. To this mode there are many objections, some in their nature general, and many peculiar, as they regard the United States. It would be much more difficult, expensive, and less successful, in the first place, than direct negotiation. But what is more important, it would be attended with many future disadvantages. If a case in proof of the first position were necessary, among many similar, one is furnished by recent experience here. The King of Sardinia, about four years since, employed the mediation of \* \* \* \* \*, in the negotiation of a treaty of amity and commerce with the Sublime Porte. During this period of four years, this illustrious and very disinterested mediator has gone on negotiating and flattering; and its employer paying and hoping, till at length, finding its funds and patience nearly exhausted, it has wisely come to the decision, it ought at first to have adopted, of taking its own affairs into its own hands; and it has now a prospect of having them concluded. If, therefore, the objections to direct negotiations are many in the outset, for the future, they are more numerous and much stronger. Both desire considerable additional force from the peculiar circumstances of the present moment. Such is at present the posture of the relations of most of the nations of Europe with the Porte; such the character of this Government and people; and such the extreme jealousy entertained by them towards the great European powers generally, and particularly Russia, that any approach made to them by the United States, through any intermediate powers, and especially the latter, would, I am thoroughly convinced, so far identify the United States with such power, as to draw upon them a participation in the jealousies entertained towards it, and subject them to all the prejudices and disadvantages arising therefrom. Any unfavorable change in the relations of such power with the Porte, would extend to, and prejudice those of the United States, established through its mediation. In the peculiar mind of the Turk, the two nations would be so intimately connected, that he would with difficulty separate them, but would generally associate them in his policy towards either. In all the little intercourse I have had with this Government and people, I have universally found that the nearer I could approach themselves, the fewer the persons interposed between me and them, the more simple, easy, and successful were my transactions. Direct negotiation is particularly suited to the character of the Turks. It implies a degree of confidence which is gratifying to their pride, and which they endeavor by their conduct to justify. I have in my own case made this experiment with them, and have seen this trait of their character clearly evinced. Although this case relates to myself individually, I will take the liberty of mentioning its particulars.

It is usual for all citizens or subjects of powers not having amicable relations established by treaty with the Porte, upon their arrival within the Turkish dominions, to place themselves under the protection of some power having such relations. In my first interview with the Government here,

under the supposition that I had, of course, done in this respect what is usual in such cases, I was asked under the protection of what power I had placed myself? I answered, "that of the Sublime Porte; that I was here a stranger, and reposed myself upon the hospitality of the country; that it would neither consist with my own feelings, and I took it upon myself to add, nor would it be agreeable to those of my Government, for me, while within the dominion of the Ottoman Porte, to recognize or accept the protection of any other power than that of the Sublime Porte itself. Upon that alone I relied for my security, and felt assured that here I should need no other." This answer was received with evident surprise and gratification. They have since seemed to endeavor fully to justify the confidence it implied. They have in consequence voluntarily offered me many indulgencies and facilities, (some of them unusual,) which, I am persuaded, would otherwise have been obtained with difficulty or altogether withheld. I mention this case merely as illustrative of what I consider a prominent trait in the character of the Turks, and one that may be turned to much advantage in all intercourse with them. They are indeed a very singular people. Their character seems an extraordinary union of opposite qualities. Although in many respects extremely uncivilized, they are capable of the most elevated and refined sentiments. An appeal to their generosity and magnanimity is generally successful, and confidence reposed in them is rarely violated. In any intercourse, therefore, which the United States may have with this Government and people, I am fully satisfied, from all I have observed of both, that, to approach them at all times directly, and not immediately through any third power, will ever be found, not only most easy and successful in the first place, but most permanently favorable to the interests of our country; and certainly most consistent with an avowed and very wise principle of policy in its foreign intercourse, "to have friendly relations with all nations, entangling alliances with none." In this course, too, we shall have the advantage, which is no inconsiderable one, of being the sole conductors of our own affairs, and the keepers of our own counsels. The peculiar situation of the United States particularly favors this policy. Separated, as we fortunately are, from the nations of Europe by an ocean three thousand miles wide, it is our interest, and in our power to preserve ourselves equally unconnected with its politics; and while we abstain from all political connection with any one nation in particular, to cultivate friendly relations with all. This happy situation of our country exempts it from the necessity experienced by the nations of Europe, of yielding their individual views and interests to the support of a general system. We recognize no Holy Alliance, no "Tutelar Congress of Sovereigns," to whose supreme decision our affairs are to be submitted, who, "to preserve the general peace," partition nations; solemnly determine what sovereign nation shall lose, and what shall gain territory; which shall be governed by the will of an individual, and which shall have a constitution; whether this sovereign shall be legitimate, or that an usurper. We are happily left independently "to pursue our own affairs in our own way, unembarrassed by all this regulation." This detached and independent situation of our country, gives it a great advantage in its foreign relations. It renders friendly intercourse with us more desirable to other nations, generally, and more particularly so to this. Such intercourse would, in some degree, relieve the Sublime Porte from the apprehension it perpetually entertains of a change in its relations with the nations of Europe, in as much as it would greatly diminish the evils it would otherwise experience from such an event.

These advantages are important to our country, and would be particularly useful in any future intercourse it may have with this Government. In departing from this separate independent policy, however, we should sacrifice these advantages.

Direct, in preference to indirect negotiation with this Government, is, in the case of the United States, recommended by another consideration of considerable importance. That narrow system of policy heretofore pursued by some of the nations of Europe having friendly relations with the Porte, I am exceedingly sorry to have occasion to observe, still continues to influence their conduct. This policy would lead the nations influenced by it, to endeavor to exclude all others from any participation in the privileges which they themselves enjoy. The United States would be particularly an object of this exclusion, in as much as we are, more than any other, an object of jealousy with that nation which is most influenced by this narrow policy. I know the opinion is generally entertained in our country, that the nations of Europe, heretofore hostile to commercial relations between the United States and the Sublime Porte, would now no longer oppose their establishment; but that, yielding to the influence of liberal principles, and adopting a more enlarged and sounder policy, would be willing to exchange their former monopoly for a fair and more honorable competition. This opinion is incorrect. I speak with confidence upon this subject; I am not left to mere conjecture, or to derive my opinion upon this point from appearances. It is founded upon positive information, derived from the highest source. I am explicitly informed, in confidence, by the Porte itself, that \* \* \* \* \*, under the idea that the United States contemplate negotiation with the Porte, has, within a few days passed, presented to the latter a formal and solemn protest against such negotiation, in which she has even threatened, in case the Porte should conclude a treaty with the United States, to break off her present relations, and declare war against the Porte. The other nations most influenced by the narrow policy which has induced this very singular measure on the part of \* \* \* \* \* are \* \* \* \* \*. Although these have been less explicit than \* \* \* \* \*, and have even avowed contrary sentiments, I have reason to believe, that, in this respect, they are, in truth, not more friendly than the latter, but would all be hostile to the views of the United States in this quarter, and would oppose any advances we might make towards the establishment of commercial relations with the Sublime Porte. This hostility, however, whatever form it may assume, will not, I am well assured, deter the Porte from following its present dispositions upon this subject, provided it be met by the United States. But it would render the Porte desirous, in the existing posture of its relations with the European Powers, and the present state of its own internal affairs generally, and especially with its two revolted provinces, that negotiations should be direct; that the knowledge not only of the fact of negotiation, but the conclusion of a treaty, might thereby be confined to the parties immediately interested, therein, until the exchange of ratifications, and the treaty should actually go into effect. This has induced the Porte itself to suggest that the person authorized on the part of the United States to treat, should not appear here as minister, but merely as a private individual, until the treaty should be about to go into effect. It would then be expected that an avowed and accredited minister of the United States should appear and receive the usual formal audience of the Sultan, &c., when the customary presents would, of course, be expected. These latter, indeed, by the usages of the Porte, could not, in any case, be received, nor could the minister have a formal audience until

that time. The anxious desire of the Porte for this course, originating in the posture of its foreign relations, and the existing situation of its own internal affairs, is much strengthened by the character of the persons at present composing its Government. The affairs of its two revolted Pacha-lies of Albania and Servia, put in requisition the resources of the Government, and render the Porte generally, and particularly the timid, more cautious in adopting any measures that might put at hazard its present relations with the great European powers, or increase the present disaffection among its own subjects. This Government, although nominally composed of many persons, is, in fact, at present, in the hands of a single individual. This individual is Halet Effendi, a man of extraordinary talents and considerable acquirements. He was, in the years 1803, '4 and '5, ambassador from the Sublime Porte to the court of France. Since his return here, he has declined all the great offices of the Government, and has only the nominal and irresponsible one of minister of conference, or privy counsellor. In this, however, he notoriously possesses the will of the Sultan, but wields the entire government of the empire. He is, at present, decidedly in favor of a treaty of amity and commerce with the United States; but he is considered a man in the market; and the other persons of the Government favorable to such a treaty, are apprehensive that, if negotiations were open and avowed, means would be used by the powers opposed to the treaty, to change the present opinion of this minister in regard to it; and that he, operating upon the weakness of some, and the timidity of others, would thus be able to prevent its conclusion, and thereby defeat what are really the present wishes of the whole Government upon this subject. This, of course, renders the Porte anxious that the negotiations should be direct, and as secret as possible. But, so strongly desirous are the Porte of the conclusion of a treaty of amity and commerce with the United States, that I feel perfectly confident, that, if a person duly authorized by the latter to conclude such treaty, were now here, it might be accomplished in the course of a few days. The present moment, so far as regards the character and dispositions of the Porte generally, is particularly auspicious for this purpose.

Upon the subject of the expense here of such a treaty, I have made every possible inquiry, and have obtained what I believe to be pretty correct information. I believe this whole expense would not exceed \$ 350,000 piasters, (Turkish.) This includes the public presents to be made upon the minister's receiving his formal audience of the Sultan, &c. &c., but does not, of course, include the salary of the minister, &c. &c. employed by the United States in negotiating the treaty. In this estimate, I have allowed for the public presents

To preserve Halet Effendi's opinion the same as at present	50,000
To this minister for procuring the insertion in the treaty of some articles of special favor	25,000
To the plenipotentiary of the Porte	25,000
" chief dragoman of Do	20,000
" Secretary of Do	5,000
To two dragomans employed by the United States, each 5,000 psts.	10,000
Contingencies	15,000
<b>Total in Turkish piasters</b>	<b>350,000</b>

The Turkish piastre is at present worth  $\frac{1}{17}$  of the Spanish dollar, and  $\frac{1}{31}$  of the pound sterling. It of course varies in value according to the exchange. There is generally here considerable advantage in drawing on London, as will be perceived by comparing the present value here of the Spanish dollar, and the pound sterling.

The amount of public presents included in the above estimate, is as low as would be satisfactory to the Porte. Their expectations on such occasions are generally regulated by their own estimate of the nation treating, and the extent of the privileges accorded it in the treaty. As the United States are here considered a nation of the first class, and would be placed upon the footing of the most favored, it would be expected that its munificence would correspond therewith. The presents, on a similar occasion, of even the King of the two Sicilies, considered here quite a second rate power, and enjoying only partial privileges, amounted to 180,000 piastres; so that under such a treaty as I suppose would alone satisfy the United States, 200,000 piastres in public presents would be quite as little as would be thought by the Porte to correspond with the high character of the United States, and with the extent of the privileges to be granted them; and quite as little as would be satisfactory to the Porte. These presents may be procured here, but much better, and with more economy in the United States, England, and France.

The items included in the above estimate, as special presents to Halet Effendi, Plenipotentiary, Chief Dragoman and Secretary, would not be considered here as bribes, but as the usual and just compensation for the extraordinary services they would in their respective situations be called upon to render. This is here the general usage and course of business; a thing of course perfectly understood, and not only countenanced, but expected by the Sultan himself. Indeed, it is quite impossible otherwise to accomplish any thing here.

The 25,000 piastres included in the estimate for procuring the insertion in the treaty of articles of special favor, would not of course be necessary, if such articles should not be desired. But, I think, that a few such articles would be important to the interests of the United States: for example, the right of exporting from the empire wheat, dried fruits, olive oil, soap, &c. &c., which at present is prohibited to all nations; and is now only done in contravention of existing laws and treaties. This right, with some other similar ones, in the various vicissitudes of the relations of the European powers with the Porte, and the consequent fluctuations of trade in these seas, would, it is thought, be important, not only to the direct but the carrying trade, which the United States might have here. I have therefore inserted in the estimate this item of 25,000 piastres, and think it might be advantageously employed in the way proposed. The item of 15,000 piastres for contingencies might or might not be necessary as circumstances should turn out. Upon the whole, I think the amount of the estimate would be found to be very nearly correct. Whether this and the other expenses incident to the establishment, and preservation of amicable and commercial relations with the Sublime Porte, would be counterbalanced by the advantages which the United States would derive therefrom, is a question for the wisdom of our Government to decide.

The commerce of the United States with this empire is, notwithstanding its present discouragements, considerably increasing. The want of custom house records, and the indirect manner in which this commerce is now ne-

ecessarily carried on, render it difficult to ascertain precisely its amount. But from the best information I have been able to obtain, it amounts, in imports and exports, to about one million and a half of dollars annually. The disadvantages which this commerce experiences at present are a want of protection, and the consequent extra duties and charges to which it is thereby subjected. The duty to this Government upon the commerce of the most favored of the European nations, having commercial relations with the Porte, is fixed by their treaties at 3 per cent.; while the subjects of this Government, the less favored nations having amicable relations with the Porte, and all nations having no such relations established by treaty, pay 5 per cent. To this duty, the commerce of the United is of course subject. Although a more favorable tariff has, occasionally, through the influence of individuals, been obtained from "the Grand Customer" or Farmer General of the revenues, yet, when the extra charges in presents, special commissioners, &c. &c., which are the consequence of want of protection, are taken into consideration, I am well satisfied that the commerce of the United States here pay at present full 3 per cent. more than it would do in case of a treaty with the Porte.

This 3 per cent. upon \$1,500,000 would amount to \$45,000 annually, a sum nearly equal to the expense of establishing amicable and commercial relations with the Porte.

Most of the European nations, having commercial relations with this, defray the expense incident to the preservation of those relations by a small special tax upon their commerce in this quarter. The commerce of Great Britain here, which is more considerable than that of any other nation, is entirely in the hands of the Levant Company, incorporated by an act of Parliament of the 26th of George the 2d. This company have the right, which they exercise, of levying a duty (called consulage and dragomanage) of about one per cent. upon their commerce here. This duty is collected by their consuls and vice-consuls in the various ports of the empire; and by them paid into the treasury of the company in London. Out of this fund is paid the salary of their chancellor, consul general, consuls, vice consuls, dragomen, jannissaries, &c. &c.: in short every expense incident to the prosecution of the company's trade and the preservation of the nation's relations with the Porte, except only the salary of the ambassador. There has always been a considerable surplus of this fund, which the company have employed in public works in England; in the establishment and support of an extensive institution as an asylum for the unfortunate members of the company. For your better information of the organization and transactions of this company, I take the liberty of sending you, accompanying this, a copy of the bye-laws and tariffs. I send you also copies of the treaties of the Porte with Great Britain, France, and the ancient Venitians; together with a statement of the commerce of Smyrna for one year, ending the 31st August, last. That of the United State, you will perceive, is not separately stated; there being in this country, as before observed, no public records of commerce; and that of the United States being generally carried on indirectly, it is exceedingly difficult to ascertain it with accuracy. From the most correct data I have been able to collect, its imports and exports amount to something more than a million of dollars annually. It is, against all the obstacles with which it has to contend, it is gradually increasing, both in the number and tonnage of the vessels employed in it, and in the value of their cargoes. With the advantage of a favorable commercial treaty with the Porte, and the

protection of our own Government, I cannot doubt it would soon become flourishing and important. Turkey would afford an advantageous market for many articles, the produce of our own country; many, the returns of our Chinese, East and West India trades and would supply many valuable in the prosecution of the second and third; and many of increasing importance in the growing manufactures of our country. The superior construction of our vessels; the greater enterprise, nautical knowledge and skill with which they are navigated, would give to our commerce here a decided advantage over that of any nation at present prosecuting a trade in this quarter. But, upon this extensive and interesting subject, I have proposed not to enter at present. I perceive that I have already extended my letter much beyond its originally intended limits, and feel that I ought to apologize for having trespassed so long upon your time.

Permit me, sir, merely to subjoin, that it is my present intention to make Constantinople and its neighborhood my principal residence for the next twelve months. If, during that, or even a more extended period, I can in any way be in the least degree useful to yourself or our Government, it would be superfluous for me to add that I should esteem it the highest honor to receive your or their commands, and should experience the highest gratification in their faithful execution. My address here, is to the care of Messrs. James Barbaud & Co.; and, in London, to the care of Baring, Brothers & Co. Any thing sent to the latter gentlemen, to be forwarded, will reach me here in from thirty to forty days from London.

I avail myself of the opportunity, which this occasion affords me, of offering you an assurance of the high respect and consideration with which I have the honor to be, sir,

Your most obedient and humble servant,  
L. BRADISH.

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[PRIVATE.]

*Mr. Adams to Mr. G. B. English.*

DEPARTMENT OF STATE,

*Washington, April 2, 1823.*

SIR: You are hereby authorized to proceed on the voyage suggested in your letters of the 26th and 28th ultimo, and for the purposes expressed in them. You will inform me, by private letters, of your progress and success; and will communicate, as often as you shall have convenient and safe opportunities, any information, commercial or political, which may come to your knowledge, and which may be interesting to the United States.

I am, with much respect, sir, your humble and obedient servant,  
JOHN QUINCY ADAMS.

GEORGE B. ENGLISH, Esq.

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(PRIVATE.)

*Extract of a letter from Mr. English to Mr. Adams.*

*MARSEILLES, 6th August, 1823.*

I have had the good fortune to find in Marseilles a person who possesses a copy of the treaty or capitulation at present subsisting between France

and the Porte. It is in Turkish, but I have engaged a competent person to translate it into French, and also the tariff established by the Ottoman Government. As soon as these translations are finished, I will forward them to you, and that *done*, shall embark for Constantinople by the first opportunity.

As it would not perhaps be easy for me to obtain these pieces at Constantinople without incurring suspicion, I did not doubt that you would approve of my delaying fifteen or twenty days at Marseilles for the purpose of obtaining *quietly*, and *without observation*, translations of these documents, which may be of use to the Department of State in case the American Government should attempt to negotiate a treaty with the Ottoman Emperor.

I have the honor to be, sir,

With high respect,

Your most obedient servant,

GEORGE BETHUNE ENGLISH.

*Extract of a letter from Mr. English to Mr. John Q. Adams, dated*

CONSTANTINOPLE, November 23, 1823.

I feel much pleasure in being able to inform you that the present Captain Pasha, is the same person to whom I was introduced when at Constantinople six years ago. He has been recalled from Trebizonde, and replaced at the head of the Turkish marine.

He is at present in the Archipelago, but his return here is daily expected. I consider this circumstance as very fortunate, as I shall have occasion to call upon him to pay my respects, and to request his countenance and protection during my stay at Constantinople. The first visit will probably lead to others, during which I may find an opportunity of advancing step by step towards obtaining those objects which I consider so important to the commercial interests of the United States, and which I believe to be, by proper management, attainable without extraordinary difficulty. In proof of which, I would mention that the Sardinian flag has recently obtained the privilege of navigating the Black Sea. The view of the large profits which are made here by the Frank merchants, in whose hands the whole external commerce of the Empire is at present, augments the surprise I have long felt, that the United States have not made more strenuous efforts to obtain a participation, and thoroughly disposes me to do all I can towards obtaining it.

(PRIVATE.)

*Mr. English to Mr. Adams, Secretary of State—Extract*

CONSTANTINOPLE, Dec. 27, 1823.

I have not been able since I have been at Constantinople to obtain copies of the capitulations subsisting between England, Sweden, or the Netherlands, and the Ottoman Porte. Indeed I could make no effectual attempt to get them without rousing suspicion. I can, however, assure you, sir, that the French capitulation, which I had the pleasure to forward you a translation of from Marseilles, is the pattern after which all the European powers have endeavored to form theirs, because France has always been the most favor-

ed nation in the Ottoman ports. The duties paid to the Imperial Treasury by all foreign vessels in the Ottoman empire are nearly the same, never exceeding three per cent. ad valorem. In addition to this, however, there is ten per cent. on the duties paid, to be rendered to the custom-house as a gratuity to its officers. European vessels pay no more, but those of the United States that trade to Smyrna pay fifteen per cent. on the duties to the custom-house. I have understood that the American consul at Smyrna came to Constantinople in order to get the additional five per cent. above mentioned taken off, and that the Turkish authorities replied, "that, as commercial relations would, probably, be ere long formally established between the United States and the Porte, when this should take place, this slight additional duty would be done away, which only exists at present because the vessels of the United States have not a legal right to trade with the Sultan's dominions." The port duties do not amount to half a dollar for a merchant ship of the largest class.

With regard to the commerce of the Ottoman empire, as connected with the interests of the United States, I venture, sir, at present to say but little, and that under correction. The only articles, it appears to me, which the vessels of the United States could profitably bring to it, are, in my apprehension, coffee, sugar, indigo, cochineal and dollars; wheat, and, of course, flour, rice and tobacco, the empire produces in abundance. In return, it can furnish the United States drugs, gums, dried fruits, fine copper, and some articles of luxury. The Europeans carry home, besides the articles above mentioned, immense quantities of hemp, cotton, wool, and raw silk, for their manufactories, which are not, I believe, in demand in the United States. But by far the greater part of the profits derivable from a free intercourse with Turkey would consist in freight. The superiority of the American ships and sailors would give them a great advantage over most of their competitors; and it is the apprehension of this which makes most of the European powers so jealous of our obtaining a participation in the carrying trade of the Ottoman empire, of which the British, French, and Imperialists, have at present almost the entire monopoly.

For thorough information with regard to the commerce of Turkey, I cannot do better than to refer you, sir, to Mr. Offley, the American consul at Smyrna, whose long residence in the country, and commercial experience, amply enables him to do better justice to this subject than I can.

Very respectfully, &c., &c.

GEO. BETHUNE ENGLISH.

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*Mr. English to Mr. Adams—Extract.*

*On board the French galette Francois and Henriette, bound from Constantinople to Smyrna, February 8, 1824.*

To the Hon. JOHN Q. ADAMS, &c. &c. &c.

SIR: I had the honor to inform you, in my last, under date of the 27th of December, that I had received of the Captain Pasha the promise of an audience. After waiting nearly four weeks for a summons from him, I began to fear that he had forgotten me, and had taken measures with the dragoman of the Porte to obtain an audience of the Reis Effendi, (the minister of

foreign affairs,) when I received a visit from the confidential drogoman of the Captain Pasha, who informed me that his highness would give me an audience on the morrow. I went accordingly: he received me cordially, and made me sit down by his side on the sofa, and participated in the coffee, which was brought to me in ceremony. These circumstances, I considered as auspicious, as, according to the customs of the Turks, such treatment is a mark of great consideration. After the usual compliments, and some questions on his part as to my adventures since he saw me last, I informed him that, when about leaving America eight months since, to visit Constantinople *for my own pleasure*, I was requested by the Government of the United States to endeavor, if an opportunity should offer, to inform myself of the disposition of the Ottoman Porte towards my country, and whether it might be possible for the United States to form more intimate commercial relations with the Ottoman Empire. I stated to him, that, after the many proofs of good will he had shown my countrymen at Smyrna, and to myself, I felt encouraged to ask his opinion as to the disposition of the Porte towards the United States, and whether there existed any impediments to the formal establishment of amicable and commercial relations between them and Turkey. I represented that it was difficult to imagine any cause which should make the Porte, which had so many treaties of commerce and friendship with the European nations, that had so frequently shown themselves the enemies of the empire, indifferent towards a nation which had never been the foe of the Ottomans, and was so far from bearing towards them any political or religious prejudices, that, by the laws of the country, a mussulman citizen of the United States would have precisely the same privileges as a christian; a great and powerful nation, that was rapidly advancing in the path of prosperity, aggrandizing continually its population, its riches, and its strength. I concluded by referring him, in confirmation of this representation, to what he knew of the Americans, and to what he might learn from the best authority.

He replied, that, for himself, he had always been the friend of the Americans, as was well known at Smyrna; that he had respected the nation, and esteemed highly some individuals belonging to it, whom he had the pleasure to know; but that he could not immediately give me "the opinion I had asked, till he had ascertained what were the causes that prevented the success of Mr. Bradish in his attempt to negotiate with the Porte some years ago." He requested me to come again in four days, when he would talk further upon the subject. At the expiration of that time, I went again to the Marine Arsenal, but he was then in consultation with some of the captains of the fleet. He sent, however, one of his officers to me, requesting me to excuse him for an hour, which time he desired me to employ in looking at his own frigate, on board of which he had ordered some alterations, which he wanted my opinion of.

On my return from viewing the fleet, I was summoned to the audience chamber. After some conversation relating to the ships and their armament, the Pasha told me that the cause of Mr. Bradish's failure was the influence of a certain European ambassador, (whom he did not name;) that it was his opinion that it would be difficult for the United States to negotiate a treaty at Constantinople, but he believed it might be brought about in the manner following: Let the Government of the United States, said he, secretly authorize the commandant of their squadron in the Mediterranean to meet me in the Archipelago, with instructions to inform me precisely what it is that the United States wish to obtain of the Sublime Porte. I will communicate

this overture to the Sultan himself, who will decide as he thinks proper, either to encourage or refuse the advances of the United States. If the Sultan should show himself favorably disposed, an arrangement advantageous to your country may probably be effected, whereas an American ambassador, who should come to Constantinople to *negotiate with the Divan*, would probably find himself embarrassed by intrigues which he could neither discover nor control."

I expressed to the Grand Admiral my perfect satisfaction, and acquiesced in what he had proposed, and announced my intention to proceed to Smyrna to communicate directly to the Government of the United States the plan proposed by him. I therefore requested him, as I considered myself under his protection at Constantinople, to obtain for me a passport. He immediately gave orders to his secretary to write a note to the proper authority at Constantinople requesting a passport for me, which I accordingly received a few days afterwards.

It only remained for me to call on the drogoman of the Porte to inform him that I had resigned my intention of addressing myself to the Reis Effendi, as, from the tenor of a conversation I had had with the Captain Pasha, I deemed it, for the present, inexpedient. I thanked him very sincerely for the politeness he had shown towards me, and his good will towards the interests of my country; and ended by taking upon me to assure him, that, in case a treaty should ever take place between the Porte and the United States, he would be handsomely remembered in the distribution of the usual presents. This I deemed the best, and, indeed, the only way of keeping a Turkish courtier friendly to those interests which he might traverse if he pleased, as he has the ear of all the ministers, and is, indeed, the only allowed medium of communication with the Ottoman Porte in all affairs in which Franks are concerned, as I found by experience. It would have been better, however, if my impatience at the long delay of the Captain Pasha in giving me an audience had not induced me to open myself to the drogoman of the Porte: for, on the day that the confidential drogoman of the Captain Pasha presented me my passport, on my incidentally mentioning my visit of leave taking to the drogoman of the Porte, he became very fretted, and gave me to understand that "I had compromised him and his patron." On my demanding his meaning, he replied, "that, if the enemies of the Captain Pasha should discover what had passed between him and me, that they would infallibly represent it to the Grand Seigneur as an intrigue carried on with the agent of a foreign power, without his knowledge, and that the consequences might be very serious." Though in truth made sufficiently uneasy by this unexpected information, I replied that "I had represented myself to the drogoman of the Porte, and to the Captain Pasha himself, as an individual travelling for his pleasure, and merely requested, *en passant*, by the Government of the United States to ascertain, if an opportunity of gaining such information should offer, the disposition of the Ottoman Porte towards his country." With regard to the plan proposed by him, I am persuaded that it would be eligible for the Government of the United States to adopt it, if they are disposed to make an effort to effect a commercial treaty with the Porte, for these reasons: 1st. It would occasion no additional expense to the United States for the commander of the American Mediterranean squadron to meet the Captain Pasha in the Archipelago, and deliver to him such written communications as they might be pleased to send. 2d. Because, should the proposed plan ultimately fail of success, neither the dignity nor the future interests of the United States in Turkey would be com-

promised, as the transaction would probably be unsuspected, as it would hardly be thought extraordinary for the American squadron to take a tour in the Archipelago at such a time as this, when almost all the European powers keep a strong force cruising there. 3d. Because the sending an ambassador *before* the United States knew something of the disposition of the Sultan would be accompanied with many difficulties, arising from the usual manner of transacting business of this nature with the Ottoman Porte: for, on the arrival of an ambassador from a power that has no treaty with the Sultan, the following would be the usual way of obtaining one in these degenerate days: After his audience of introduction to deliver his credentials, he must select and employ some person thoroughly acquainted with the language and character of the Ottoman Porte to act as drogoman of the embassy. It is more requisite that this person should possess talents and capacity than for the ambassador himself, as he will be in fact the hinge on which all the business part of the embassy must turn, as it must all pass through his hands. After such a person is selected, he must be instructed to visit, not at first the minister of the Ottoman Porte, but their *seraffas* or treasurers: for, however strange, sir, the representation I am about to make may appear, it is nevertheless certainly true, that the good will of these "*hommes des affaires*" must be secured before any thing important can be effected with their patrons the ministers. The drogoman of the embassy must go to these people, and represent at large the advantage to the empire of making such or such a treaty, and must conclude his representation by giving to be understood, that, if the minister (the patron of the *seraffa*) will support and carry through the Divan the treaty proposed, he, the drogoman, will lodge in the hands of the *seraffa* of the minister, such a sum—so much for the minister, and so much for the *seraffa* himself, for his good offices on this occasion. When all the ministers are thus secured, the affair may be entrusted to the deliberations of the Divan, and *not before*, unless the Sultan himself is known to be propitious, when this procedure would not be so necessary. And even when all these arrangements are made, should the ambassadors of foreign powers suspect the affair, which the presence of an ambassador would undoubtedly occasion, they would set *their* drogoman also at work to traverse his negotiations by offering *more*, if they could afford it, to frustrate the success of the new ambassador. But if, as proposed by the plan of the Captain Pasha, the Sultan himself could be made well affected, all, or the greater part of this intrigue and expense, would be unnecessary.

I am, however, far from believing that the Captain Pasha himself is disinterested in this affair, as I know that one of his reasons for proposing what is already mentioned is the hope of grasping to himself the most considerable part of the presents usual in signing a treaty with the Porte. If, however, the business be fairly and advantageously concluded through his means, I suppose that this circumstance would be considered by the United States as perfectly indifferent.

You will perceive, sir, that this arrangement with the Captain Pasha is not exactly the same as I proposed to effect when at Washington. In fact I found, when at Constantinople, that the present was not a time for the Captain Pasha to hazard the responsibility of admitting American vessels to other ports than Smyrna without the sanction of a treaty: for, since his unsuccessful cruise, his situation has become *critical*, and obliges him to be very cautious in his conduct. I think, moreover, that, in the present posture of affairs in the east, the proposition made by him is more eligible.

(PRIVATE.)

*Mr. English to Mr. Adams—Extract.*

WASHINGTON, May 14th, 1824.

SIR: I beg leave to submit to your consideration some observations relative to the subject of the conversation I had the honor to hold with you yesterday.

Though the circumstances in which I found the Capitan Pasha, when at Constantinople, made it imprudent for me to ask, and impossible for him to accord, what I hoped to obtain when I left Washington thirteen months ago, yet I think that what was proposed by him would, if followed up, *eventuate* in the more important acquisition of a commercial treaty with the Porte not a little advantageous to the United States. It appears to me that the opportunity offered by the Turkish Grand Admiral, of bringing directly to the Sultan any overtures the Government of the United States may please to make, should not be slighted, because the measure proposed by him would lead immediately to a knowledge of the disposition of the Sultan towards the United States, and thereby certify the Government of the course best to be adopted towards Turkey for the future.

A letter to the Captain Pasha, intimating to him that the Government of the United States is not insensible to the many proofs of good will he has shown towards our country, and the favor and protection he has extended to our commerce with Smyrna, might be accompanied with the suggestion that, from his own observation, he may be aware of the high advantages which might result to the Ottoman Empire, from a free commercial intercourse between it and the United States; a representation that it would be difficult to imagine a reason which should exclude the United States, a great and flourishing nation, that has no prejudices or enmities, political or religious, against the Ottomans, from the same commercial intercourse accorded by the Sultan to European nations who have been so frequently the enemies of the Empire; concluded by a request to him to ascertain whether the Ottoman Emperor would be disposed to receive an ambassador from the United States who should be authorized to negotiate with the Porte. Such a letter would be well calculated, in my opinion, to give the Captain Pasha an opportunity to exert himself in behalf of our commercial interests in the east.

Such a letter, in my apprehension, could do no harm, while, by making the Captain Pasha aware that his friendship for our country and its commerce has not been unnoticed by the Government, would probably keep him steady to the sentiments he has hitherto expressed towards us, and encourage the hope of being ultimately *benefitted* for whatever influence he may exert in bringing about a treaty advantageous to both nations. As it would, moreover, be nearly a year before this letter could be laid before the Sultan, and since the aspect of affairs in the east will probably change decisively before the expiration of that time, should the event be favorable to Turkey, the having forwarded such a letter this summer, while their affairs are unsettled, would be a circumstance which would probably incline the Porte strongly in our favor; while, on the other hand, should their affairs become still more perplexed, there would then be an obvious and sufficient reason for the United States to defer, to a more tranquil season, any further steps for the conclusion of a treaty intended to be permanent.

To the Hon. JOHN QUINCY ADAMS,  
*Secretary of State.*

(SECRET.)

*Mr. Adams, Secretary of State, to G. B. English, Esq.*DEPARTMENT OF STATE, *Washington, January 3, 1825.*

SIR: By direction of the President of the United States, you are hereby authorized and required to repair forthwith to Norfolk, and embark on board the ship *North Carolina*, where you will place yourself under the command of Captain John Rodgers, to perform such services as he may assign to you in the execution of his duties, during the period of his absence from the United States as commander of their squadron in the Mediterranean, or until you shall receive further orders from this department.

You will particularly be required, as the opportunity may occur, to perform the office of an *interpreter*, and such other services as the instructions of Commodore Rodgers will indicate to him as expedient and proper.

Your compensation therefor will be at the rate of two thousand dollars a year, from the commencement of the present year, till you receive notice from Commodore Rodgers, or from his successor in command, or from this department, that your services will be no longer required. The expenses of your subsistence while engaged in the service, whether on board the squadron or on shore, will be to be provided at your own charge.

I am, with great respect, sir,

Your very humble

And obedient servant.

(SECRET.)

*Mr. Adams, Secretary of State, to Commodore John Rodgers.*DEPARTMENT OF STATE, *Washington, February 7, 1825.*

SIR: Mr. George B. English is authorized to embark with you in the *North Carolina*, with a view of rendering aid to you as an *interpreter* during your service in the Mediterranean. A copy of his authority is herewith enclosed, to the end that the relations in which he will stand to you and the service assigned him, may be clearly and fully understood by you.

It is probable that, in the course of the ensuing summer, an opportunity may occur of your meeting the Turkish fleet, commanded by the Captain Pasha. This officer is represented as having long entertained favorable sentiments towards the United States. In the intercourse of civility which may arise from your meeting, it may be in your power to ascertain in what manner a treaty of commerce, founded upon principles of reciprocity, and by which access to the navigation of the Black sea should be secured to the commercial shipping of the United States, may be obtained. Should the Captain Pasha be disposed to point out the means, you will confidentially communicate to this department the terms of such a treaty. Should the result of your interview with the Captain Pasha be satisfactory, you are authorized to make him, at parting, a complimentary present, as may be usually given in *courtesy* to an officer of his rank, and to assure him that in the event of the conclusion of a favorable treaty, securing the above benefit to our commerce, his good offices will be duly estimated in the transaction. An essential object, however, will be to ascertain the terms upon which

such a treaty may be effected.\* No particular sum of money is placed at your disposal for this purpose, but, in the event of an arrangement, by which you would be satisfied of the accomplishment of the object, funds for covering the expenses incidental to it will, in due season, be provided.

You will communicate, with every proper precaution of secrecy, the result of this measure to this department; and in the contingency of your meeting and conferring with the Captain Pasha, you will be specially careful, that neither the meeting, nor any movement consequent upon it, shall be made susceptible of any unfavorable operation upon the cause of the Greeks.

I am, with great respect, sir,

Your very humble

And obedient servant.

*Secretary of State to Commodore John Rodgers.*

DEPARTMENT OF STATE,

*Washington, February 9, 1825.*

SIR: Mr. George Bethune English, the bearer of this letter, having been authorized to embark with you in the North Carolina, with a view to rendering aid to you as an interpreter during your service in the Mediterranean, I have the honor to request that you cause to be paid to him, out of the funds under your control, to be reimbursed by this department, or by means of bills upon this department, the salary or compensation which is allowed to him by the President, being at the rate of two thousand dollars a year, counting from the first of January of the present year; and deducting therefrom the sum of one thousand dollars which has been already paid to him, by order of the President, in advance.

I am, with great respect, sir,

Your obedient humble servant,

JOHN QUINCY ADAMS.

(PRIVATE.)

*Secretary of State to Commodore Rodgers.*

DEPARTMENT OF STATE, 6th September, 1825.

SIR: I have the honor to transmit to you enclosed, a copy of a treaty between Turkey and France, or rather, in the language of Turkish diplomacy, of capitulations conceded by the Porte to France. Being in French, it is accompanied by a translation which has been hastily made. From a perusal of this document, you will see what has been granted to France. The President wishes to obtain similar advantages for the commerce of this country; and you were instructed by a letter from this office, under date the 7th day of February, 1825, to ascertain, through the Captain Pasha of the Turkish

\* The treaties of Great Britain and of France with the Porte, will indicate the articles of similar character which it may be expedient to introduce into that which may be concluded with us.

fleet, the probability that existed of this Government being able to procure them. It was expected that you were to sound him, not treat with him, for which neither he nor you would have powers. But the interview may possibly lead to your both being hereafter invested with powers to accomplish the object, as being a mode preferable to sending a minister to Constantinople. Our wish is, first, to trade with all the ports of Turkey, in whatever quarter of the globe situated, on the footing of the most favored nation; secondly, to obtain a free ingress and egress through the Dardanelles to and from the Black sea; and thirdly, to be allowed to appoint consuls to reside at such ports as the interests of our commerce may require.

Possibly the Captain Pasha, who was believed to entertain friendly sentiments towards this country, may not now be in command, and may be succeeded by another not cherishing a similar disposition. In the event of such a change, it will be left to your discretion to decide whether it will be expedient or not to open the business to such successor.

I have the honor to be,

Your obedient servant,

H. CLAY.

*Chief Clerk to Commodore Rodgers.*

DEPARTMENT OF STATE,

*Washington, September 7, 1825.*

DEAR SIR: In the official letter, which goes to you from this department by this opportunity, a copy of an ancient treaty between the Porte and France, in the French language, and a rough translation, hastily made by different hands, are enclosed. From the little time allowed for this work, especially with regard to the translation, I am afraid that it will be found very imperfect. You will have an opportunity, however, perhaps, of procuring an examination to be made of the translation with the original before you have occasion to use it; and I venture to make the above suggestions that you may, if you deem it necessary, cause this to be done.

I have the satisfaction to inform you that our city continues very healthy.

I am, dear sir, with respect and esteem,

Your obedient and humble servant,

D. BRENT.

(TRANSLATION.)

*Capitulations, or ancient and new treaties between the Court of France and the Ottoman Porte, renewed and augmented in the year of Jesus Christ, 1740, and of the Hegira, 1153.*

Behold what says this imperial sign, of which the power is sustained by the kindness of the eternal Dispenser of Favors, and by the multitude of the benedictions of the chief of the prophets: may health be increased to him and his descendants!

We, the Emperor of puissant emperors; the support of the grandes of the age; the distributor of crowns to the kings who are seated upon the throne of the world; the shadow of God upon the earth; the servant of the two illustrious and noble cities of Mecca and Medina, august sacred places, origin of the faith, towards which all Mussulmens address their vows; the master and protector of the holy Jerusalem; the sovereign of three grand cities, Constantinople, Adrianople, Brousse; the master of Damascus, odour of Paradise, of Tripoli, of Syria, of Cairo, singular in its kind; of all Arabia, of Africa, of Arakagem, of Bassora, of Lahissa, of Dilem, but, above all, of Bagdad, capital of the Caliphs; of Bissa, of Menssoul, of Chenzoul, of Diarbeker, of Zewilhadrigi, of Erzeroum, the agreeable; of Souvas, of Adana, of Caramania, of Kars, of Gilder, of Dewan, of the Morea, of Candie, of Cyprus, of Chio, of Bodes, of Barbary, of Ethiopia or Habesche; of Algiers, a place of war; of the countries of Natolia, of Tripoli, of Barbary, of Tunis, of the Black and White seas, of the coasts of Algiers, of the kingdoms of Roumelia, of all Koardistan, of Greece, of Tartary, of Circassia, of Kabarta, of Georgia, of the noble tribes of Tartars, and of all the hordes which depend on them; of all Bosnia, with what has been annexed; of the Fortress of Belgrade, a place of war; of Servia, as well as of the fortresses and castles there situated; of the countries of Albania, called Urnanalik; of all Wallachia, of Moldavia, and of the fortresses which are in its cantons; and, besides the foregoing, many other towns and fortresses not enumerated, which have been taken and conquered, and which we possess by our imperial justice, and by our victorious power. We, who are Sultan, son of a Sultan, the Emperor Mahmoud, son of the Emperor Mustapha, who was son of the Emperor Mehmed, through the perfect goodness and favor of the Distributor of Kingdoms, and through the favor of him whose existence is not doubtful, sovereign of all creatures, and the refuge of the sovereigns of the most illustrious families, and the defender of the princes, who have had esteem and confidence for our Sublime Porte, which is the center of happiness and felicity, and the asylum of those who have recourse to it.

To the most honored among the great princes of the faith of Jesus, and who has been chosen in the capacity of arbiter and mediator of the affairs of all the Christian republic, full of grandeur, of glory and of majesty, preserver of the true marks of honor and of dignity, Louis the Fifteenth, Emperor of France, and of other vast kingdoms dependant on it; most illustrious, most honorable, our sincere and ancient friend; of whom may the end, and the result of his enterprises, be happy.

There should have been sent to our port of felicity, a letter containing manifestations of the most perfect sincerity, of the most particular affection, candor, and rectitude, on the part of the said Emperor, who has addressed the aforesaid letter, in order to be consigned to us, to Louis Sanver, Marquis de Villeneuve, his present Counsellor of State, and his Ambassador near our port of felicity, who is the model and the support of the Christian lords, and one of the most skilful, prudent, wise, esteemed, and honored minister, of whom may the end be happy. We should have given our imperial consent in conformity with the permission asked of us, in order that he might be admitted even before our throne, surrounded with light and glory, and, in delivering the aforesaid letter, he has beheld our majesty, and shared in our imperial grace and favor.

The aforesaid letter, after its delivery by the said ambassador, has been

translated; and its contents should have been explained to us in detail, according to the ancient usage of the Ottomans, and presented at the foot of our imperial throne, (which is as elevated as the skies,) by the most honorable Elhadgi Mehmed Pasha, our Minister General, absolute interpreter of our ordinances, the ornament of the world, and charged with the maintenance of good order among the nations, the support of the reputation and of the edifice of our empire, and of our prosperity; the firm and solid support of the columns of our happiness and our glory; the most approved Grand Vizir, lieutenant general and absolute vizir of our happy augury: may God augment and perpetuate his power and his victories!

And as the expressions of this friendly letter show a desire, on the part of his Majesty, to do, as friendship requires, every honor to the conditions, agreements, and treaties stipulated and concluded from time immemorial, and inviolably observed to the present day, between our glorious ancestors, upon whom be the light of God; and the most glorious Emperors of France; and as the imperial capitulations, renewed in the year of the Hegira, one thousand and eighty-four, in the reign of Sultan Mehmed, our august grandfather, generous and noble during his life, and happy at his death, had for object the repose, tranquillity, and protection of the ambassadors, consuls, interpreters, merchants, and other subjects of France; it is in like manner our will that, in the time of our reign of felicity, the aforesaid capitulations be renewed and confirmed. And taking into view the sincere friendship and attachment which they have ever manifested towards our sublime Ottoman house, we have also given our imperial consent that the articles which have been required, and upon which the aforesaid ambassador of France and the ministers of our Sublime Porte have conferred, as we have been informed, be therein inserted and added, it being our imperial will and desire to corroborate and increase, from day to day, the friendship subsisting, from time immemorial, between our eternal Porte and the empire of France; the aforesaid Emperor having likewise given, in the time of our reign, convincing proofs of sincere friendship; these motives, together with the desire which we feel to consolidate more and more the connection of such a friendship, and so ancient, have excited in his Imperial Majesty sentiments consonant with their desires.

And as the result which friendship ought to produce is commerce, and the security of goers and comers, we confirm, by these presents, in their whole extent, the old and new capitulations, as well as the articles which were inserted therein at the time of the above mentioned date. It is our will, also, in order to procure more repose for merchants, and give vigor to commerce, to exempt them from the duty of masdavia, which they have paid from the most ancient period.

This article, and many others relating to commerce and the security of goers and comers, have been discussed, treated of, and adjusted, and put in a proper form, during the various conferences held in relation thereto between the aforesaid ambassador, clothed with full and sufficient powers to treat upon this matter, and the persons appointed on the part of our Sublime Porte; so that when all was agreed upon and concluded, our Supreme and Absolute Vizir rendered an account thereof at our Imperial Sinap. It being our will to manifest on this occasion the esteem and regard which we entertain for the constant friendship of the Emperor of France, who at this time has made known the sincerity of his heart, therefore we have given our imperial sign, and have ordered the execution of the articles newly

agreed upon and concluded. It is our will that the old and new capitulations be copied and observed exactly, word for word, at the commencement, and that the articles newly adjusted and agreed upon, be inserted as coming afterwards. It is in this order that we have agreed to the present capitulations, delivered and consigned to the hands of the said ambassador, and of which the tenor is conceived in the following terms, by our command, the course of which indicates our absolute power. Here are inserted, word for word, the capitulations of 1604 and 1673.

Independently of accepting and confirming the present ancient capitulations as they are above set forth, and such as they were renewed during the reign of the said Emperor, our ancestor of glorious memory, the articles requested and newly adjusted and granted, have likewise been added to the old capitulations set forth and explained as follows.

#### ARTICLE I.

The French visiting Jerusaelem, and the priests in the church called Kama, shall not be troubled or molested.

#### ARTICLE II.

The Emperor of France being connected in friendship from ancient times with our Sublime Porte, and having never acted in an unfriendly manner, an imperial command was granted to them during the time of the late Emperor Sultan Selim, (to whom pardon has been granted, in order that he may repose in peace,) that the French might be furnished with cotton, spun cotton, and Morocco leather, which are prohibited merchandise; and in consequence of their perfect sincerity and devotion to my Sublime Porte, they have been granted also, in the time of our great ancestors, (of whom may God brighten the tombs,) permission to purchase wax and prohibited leathers, without molestation from any one; and, as that is recorded in the imperial capitulation, it is confirmed to them as before.

#### ARTICLE III.

There shall not be demanded, at present, from the French and their merchants, the duty on the piastres which they may bring from their country, nothing having been paid from the beginning in my empire; and the treasurers and directors of the mints shall not molest them in alleging that they wish to convert their piastres into silver.

#### ARTICLE IV.

French merchants, embarking on board enemy's vessels, and being peaceably occupied in their commerce, shall not be made prisoners, nor their goods confiscated contrary to noble justice, under the charge of being found in enemy's vessels; and, so long as they keep within the bounds of their duty, and are occupied in trade, without participating in the crimes of piratical vessels, they shall not be made prisoners, nor shall their goods be seized under that pretext.

#### ARTICLE V.

A Frenchman having taken a cargo of provisions in an enemy's country, on board a vessel belonging to him, and being on the way to an enemy's country when he meets with Turkish vessels, his vessel shall not be captured, nor shall he be made prisoner under the charge that he was carrying provisions to the enemy.

## ARTICLE VI.

If an Ottoman subject take provisions in the Turkish countries, and be captured during his voyage, he shall not be made prisoner if there be found in the vessel a number of French mercenaries.

## ARTICLE VII.

Frenchmen having voluntarily bought provisions from Turkish vessels, without intending to carry them into enemies' countries, and being seized on their way to their country by Turkish vessels, shall not have their vessels captured, nor those on board made prisoners; and if there be any such French prisoners found, they shall be liberated, and their goods returned.

## ARTICLE VIII.

With the consent of the Emperor of France, the French merchants shall continue to pay, in the same manner, the custom-house duty on merchandise imported and exported according to the old estimate, nor shall it be valued at a higher rate.

## ARTICLE IX.

Besides the goods which the French merchants may bring out for sale, when they wish to go to another port, the duty on their merchandise shall not be demanded, and they shall not be hindered from carrying them to another port.

## ARTICLE X.

The French merchants shall not be required to pay the newly established duties of karsibia, reft, begé, jansuk, kirli, nor the duty of good voyage, beyond 300 aspres.

## ARTICLE XI.

When the French enter the port of the Algerine corsairs, they shall be respected, and shall be furnished with powder, lead, implements, and other articles.

As the aforesaid corsairs, when they met the French merchants, were accustomed to make them prisoners, and plunder their property, they were an hundred times forbidden to do so in the time of my great grandfather, (may he repose in peace,) but they have not obeyed, and have continued to molest them. My imperial will not consenting to this, if there are such French prisoners, they shall be liberated, and their property entirely restored. If the corsairs do not in future render obedience, and should indulge in excesses, and a proces verbal should be drawn up against any of the said corsairs, the Beghrilerbeghi, of the place where the crime shall have been committed; shall be deprived of his place, and indemnity shall be made for the articles plundered. Many orders have already been given to them on this subject, but they have hardly paid attention to them; and if they should not this time obey my noble firman, they shall not, when they go to France, be admitted into the ports or fortresses of the Emperor of France; and, while endeavoring to repress these excesses, nothing shall be done hostile to the treaty stipulation; since the noble command, issued in the time of my ancestor, is confirmed as before, and my Imperial Majesty will receive in this matter both the defence and the complaint relative to the aforesaid corsair.

## ARTICLE XII.

Permission having been given to the French from the time of my great ancestors, (may they repose in peace,) to fish for coral, and fish in the places in the Gulf of Astorgha, dependant on Algiers and Tunis; they shall, therefore, enjoy this permission, as heretofore, without being molested by any stranger.

## ARTICLE XIII.

The drogomans attached to the service of the ambassador shall be exempt, according to custom, from the harady, whether as tribute of the duties of kansabie, or of those of techyalizch ourfie, or known imposts.

## ARTICLE XIV.

When French merchants take cargoes of merchandise on board their vessels, and when they transport any Ottoman subjects into an enemy's country, those subjects shall pay wholly to their ambassadors and consuls the duties of the embassy and of the consulate without any dispute or opposition.

## ARTICLE XV.

Whenever the French have a dispute among themselves with regard to a murder, or any other crime, their ambassador and consuls shall decide according to their own laws, without interference or molestation on the part of the Turkish authorities.

## ARTICLE XVI.

The consuls appointed for the affairs of the merchants shall not be molested during a law suit by being imprisoned or having their houses shut up; and when others have a suit against the consuls, the case shall be tried at Constantinople; and even though there should be produced a firman to the contrary, issued previously or subsequently to the said trial, no attention shall be paid to it, and the imperial capitulation shall be adhered to.

## ARTICLE XVII.

The Emperors of France having been always distinguished among the other Christian Kings for their sincerity and devotion to our predecessors, and having never violated treaties, the French ambassadors, in visiting my imperial Divan, or my grand vizers and counsellors of state, shall have precedence of the ambassadors of Spain, as well as of those of the other Kings, according to custom.

## ARTICLE XVIII.

There shall not be exacted the custom-house duty, nor that of bay, upon such articles as trinkets, clothes, eatables and liquors, and the consuls of France shall have precedence in the ports of the Spanish consuls and those of other Kings, in the same manner as the ambassador at Constantinople.

## ARTICLE XIX.

The vessels of war, and other vessels belonging to the French, with their equipments, frequenting in security the ports, harbors, and others of my well

kept places, haste shall be made to go to their succor in case of a tempest, if it be necessary, and they shall be aided and afforded the requisite assistance on the spot, by the crews of private vessels, or by others; and the commanders of ships of war and subaltern officers shall pay them every attention and civility, and shall furnish them with provisions for their money; and if the French vessels should be wrecked by the force of the wind, the beghiterbeghis, the cadis, as well as the other authorities, shall assist them and restore to them the articles and goods saved, without molesting them.

## ARTICLE XX.

French merchants travelling peaceably by land or sea, shall enjoy every security, as well as their drogomans: and the other individuals who may come into my well preserved empire shall, in like manner, exercise their trade, after paying the consular duty thereon according to custom, and they shall not be molested during their arrival and departure by the Turkish reis, special or voluntary, nor by the Ottoman military.

## ARTICLE XXI.

The French merchants shall not be vexed by being charged with merchandise against their will and by force.

## ARTICLE XXII.

When a Frenchman is a debtor, demand shall be made of the creditor, and if he be not security himself, no other shall be seized in his place; and in case he be dead, no one shall meddle with his goods or property, and they shall be given to his heir according to his testament; and in case of death without testament, they shall be consigned, with the knowledge of the consul, to his associate in the country, without any interference on the part of the berted, malgi, exchequer, or the kansam, or administrator of goods.

## ARTICLE XXIII.

The French merchants, drogomans, and consuls, employed in trade, or others having juridical affairs concerning security, shall appear before the cadi, and legally prove and register the document and procure the hogget or juridical act; afterwards the hogget and the record will be taken into view, and the legal proceeding will be in conformity with one of these two documents; and, in default of these, false testimony only being brought forward, if the process shall have been commenced contrary to justice, as soon as it is found that there are no hoggets on the part of the cadis, and that the affair of the process is not recorded, the false proceedings shall be rejected, and the process shall not be continued contrary to justice. If any, for the purpose of making extortions, shall say "you have injured us," they shall be removed and hindered if they exercise oppressions contrary to noble justice. If a Frenchman be in debt, or otherwise culpable, during his absence, another innocent person, who is not his security, shall not be seized or molested.

## ARTICLE XXIV.

If there be found prisoners belonging to the French, their ambassadors and consuls shall assign persons or appoint agents near my Sublime Porte,

in order that the affair may be settled with the owner of the prisoner, if it be asserted that the prisoner is a Frenchman. The hamy or the tribute from the French, established in my well preserved empire, shall not be exacted.

#### ARTICLE XXV.

When there shall be sent in the place of the consuls appointed in the ports of Alexandria, Tripoli, of Syria, Algiers, and other places, persons authorized to exercise the consular functions, no one shall impede them, and they shall be exempt from the duty of Techgaligh-ourphie.

#### ARTICLE XXVI.

When any one has legal proceedings with a French merchant, and they appear before the cadî, the latter shall not hear the cause if the French drogomans are not present; and shall wait until they arrive, if they are occupied with important business; but the cause shall not be delayed under the pretext that the drogomans are absent, and they shall be made to come. When the French have legal proceedings among each other, the ambassadors and consuls shall decide and pronounce according to their usages, without impediment from any one.

#### ARTICLE XXVII.

According to usage and to law the French vessels were visited at Constantinople; and, after leaving there, were visited again before the Dardanelles, when permission was given them to depart; at present they visited also at Galipoli contrary to the ancient law. In future, they shall be visited according to the ancient usage before the Dardanelles, when they may depart.

#### ARTICLE XXVIII.

When the ships, galleys, and squadrons, which traverse the surface of the sea in my well preserved kingdoms, meet with French vessels, they shall reciprocally manifest friendship, without doing each other any harm, and shall give presents to each other voluntarily; and the French shall not be molested by being deprived by force of their instruments, their goods, their young people, their boys, or any other article.

#### ARTICLE XXIX.

In confirming that, in favor of the French, the articles written in the imperial capitulations granted to the Venitians, no one shall vex, molest, or show them enmity, contrary to my vigorous justice, and against my imperial capitulation.

#### ARTICLE XXX.

When the abovementioned ships of war and vessels shall come into our well preserved countries, they shall be taken care of and protected, in order that they may return sound and safe; and if any of their goods or merchandise be pillaged, efforts shall be made to discover their people, as well as their goods and merchandise; and the delinquents, whoever they may be, shall be duly punished.

## ARTICLE XXXI.

The beghiterbeghis, the sanjabbegis, and the captains, our servants, as likewise the cadis, the emirs, the special and voluntary reis, and, in general, the inhabitants of my well preserved kingdoms, in acting conformably to the most just contents of my imperial capitulation, shall not dissent from it; and those who refuse obedience to it, or violate it, shall be regarded as rebellious criminals, to whom neither time nor quarter shall be granted, and who shall be punished as an example to others. According to the capitulations granted during the noble times of the late Emperor, Sultan Soliman, to whom pardon has been granted, and of my great ancestors, of whom may God enlighten the tombs, no molestation or vexation shall be exercised contrary to what has been stipulated relative to time and quarter.

## ARTICLE XXXII.

In the time of my great ancestors, the imperial permission was given, that a hostile nation, not having ambassadors plenipotentiary at Constantinople, might, under the French flag, frequent my well preserved kingdoms, whether by way of visit or in order to trade; and it is so written, in capitulations granted to the French. Subsequently, such nation was absolutely forbidden to come, under any pretext, into my well preserved territories; and it was even struck out of the capitulations.

The aforesaid Emperor of France, having previously sent a letter to my Sublime Court, praying that, notwithstanding the command prohibiting enemies from trading, that they should not be disturbed in going to visit Jerusalem, as formerly: if permission be granted to the aforesaid nation to frequent my well preserved kingdoms for purposes of trade, then it shall trade again, coming and going, under the French flag. My Imperial Majesty having granted the prayer of the aforesaid Emperor of France, on account of his ancient friendship for the Sublime Porte from the time of my great ancestors until the present, a firman of high order has accordingly been issued, in order that the Christian nations, in friendship with the said Emperor of France, may not be molested or troubled during their visits to Jerusalem, which they shall visit as formerly, in all security, while keeping within the bounds of their duty.

If, after some time, it be expedient to grant the imperial permission to the aforesaid nation to frequent my well preserved dominions in order to trade, then they shall come and depart under the flag of the Emperor of France, according to the ancient mode; and they shall not in any manner be permitted to go and come under any other flag. Upon the occasion of the renewal of the imperial capitulations, well detailed and explained, existing in their possession, and granted to them formerly in the manner above mentioned, from the time of my great ancestors to the present; there has been inserted in future the foregoing articles, conformably to the noble firman in the autograph of my Imperial Majesty; and there has been added to them an article concerning the bishops and priests of the other Frank religions of whatsoever denominations, who shall not be hindered from professing their worship in the ancient places of my empire, while keeping within due bounds.

## ARTICLE XXXIII.

As the places to which visits are, made, are according, to the ancient usage, in the possession of the Frank priests, actually domiciliated within

or without Jerusalem, and in the church called Kamana, no one shall interfere with them, by demanding imposts; and in case of legal proceedings, if they cannot be decided on the spot, they shall be sent to Constantinople.

ARTICLE XXXIV.

The French and all their dependants going to Jerusalem, shall go and return without obstruction from any person.

ARTICLE XXXV.

The two churches at Galatea, which have been occupied from the most ancient times by the French jesuits and capuchins, shall still remain in their power; and moreover the church which was burned shall be rebuilt, and shall continue in possession of the capuchins, who shall not be molested; nor shall the French churches in the ports of Smyrna, Siede, Alexandria, and other ports, be molested, and no money shall be taken from them under any pretext whatever.

ARTICLE XXXVI.

They shall not be molested when they read the gospel in the hospital of Galatea.

ARTICLE XXXVII.

The French merchants having paid, from ancient times to the present, five per cent. on merchandise imported and exported; and having, in their capacity of friends of the Sublime Porte, requested that, in the imperial capitulations delivered to them anew, the duty may be reduced to three per cent. only; these prayers having been granted, they shall pay as above, and no more shall be exacted of them; and their payments to the customs shall be made according to the valuation of coin in the Imperial Treasury, and they shall not be troubled by having more or less demanded of them.

ARTICLE XXXVIII.

The Portuguese, Sicilians, Catalans, and those of Ancona, as well as other hostile nations, not having ambassadors, consuls, and agents at Constantinople, arriving voluntarily under the French flag, and keeping within the bounds of their duty, without committing any acts contrary to peace and good harmony, shall pay the custom-house at the same rate as the French, without being molested by any person.

ARTICLE XXXIX.

They shall, like the English merchants, pay the duty of masdovia to the collector of that duty, whether at Constantinople or Galatea, and they shall not be molested by having more demanded of them. If the custom-house officers, in order to satisfy the customs, should value their goods highest, they shall then pay in kind instead of money, without any opposition; and when they have once paid the custom-house duty on silk and printed stuffs, payment shall not be exacted from them again; and, after paying the customs, the collectors shall deliver to them the togkerets or tickets, and they shall not be prevented from passing to another port, nor molested by having the duty demanded of them again.

## ARTICLE XL.

The consuls of France, as likewise the priests, their dependants, their merchants and drogomans, may, according to the old custom, make wine for themselves in their own houses, and import it from abroad for their use, without molestation.

## ARTICLE XLI.

Whenever there are legal cases involving a greater sum than 4,000 aspres, they shall be adjusted at the Imperial Divan, and not elsewhere.

## ARTICLE XLII.

If Frenchmen are found in a place where an assassination has been committed, they shall not be troubled or molested, under pretext of a fine, if nothing can be proved against them.

## ARTICLE XLIII.

The drogomans employed in the service of the ambassadors shall also enjoy the privileges granted to the French, as afore set forth; and, in addition to my acceptance and confirmation of this ancient capitulation, renewed during the Caliphet of his aforesaid Majesty, my deceased ancestor of glorious memory, there have been concluded and inserted this time, the following articles, set forth as below.

## ARTICLE XLIV.

Besides the prerogatives and distinctions granted by the preceding capitulations to the ambassadors and consuls of the Emperor of France, the title of Emperor having been assigned, of old, by the permanent Sublime Porte to his aforesaid Majesty, his ambassadors and consuls shall also be treated and regarded by the Sublime Porte with the honor due to that title.

## ARTICLE XLV.

The ambassadors and consuls of the most illustrious Emperor of France shall employ such drogomans and janissaries as they please, and no one shall do violence to them, by compelling them to employ those that do not suit them.

## ARTICLE XLVI.

The drogomans of French origin, being the representatives of the ambassadors and consuls, when they correctly interpret what is committed to them, and perform their duties, shall not be arrested nor imprisoned, and when they commit a fault, they shall be punished by their ambassadors or consuls, and shall not be troubled by any other.

## ARTICLE XLVII.

Fifteen persons, only, of my subjects, employed in the service of the ambassadors, shall be exempt from duties and imposts, and those shall not be molested.

## ARTICLE XLVIII.

The dependants of my Sublime Porte, whether Turks, Bayas, or any others whatever, shall not cite or compel the native French consuls, when

they have drogomans, to appear personally before a tribunal, and it will be sufficient that they appear by drogomans, whom they appoint for that purpose, if the case requires it.

#### ARTICLE XLIX.

If the French consuls, or their substitutes, by order, wish to hoist their flag, according to their ancient custom, in the places of their residence, the cadis and the other authorities shall not hinder them.

#### ARTICLE L.

For the security of the dwellings of the consuls, permission is granted to appoint the janissdries, solicited by them, and these janissaries shall be protected by the odabachies and the other commandants, and no recompense or service shall be exacted of them for that.

#### ARTICLE LI.

If the consuls, drogomans, and other dependants of France, shall import in order to make wine or import wine for their use, it is our will that whether on the entrance or conveyance, the janissary agha, the bostangi-bachi, the top-chi-bachi, the vaivides, and other officers, shall not demand any duty, and that the contents of the orders given by our predecessors, and at present by us, be adhered to.

#### ARTICLE LII.

If it should happen that the French consuls and merchants have any litigation with the consuls or merchants of any other Christian nation, they shall be permitted, both parties consenting, to refer their causes to the ambassadors resident at the Sublime Porte; and if the plaintiff and defendant are not willing to bring these causes, which may arise among them, before the pashas, cadis, or other authorities, or the officers of customs, the latter shall not compel them to do so, in pretending to take cognizance of said causes.

#### ARTICLE LIII.

Upon the ascertained failure of any French merchants or subjects of France, those who have demands shall be paid out of what remains of his effects; but if the creditor be not provided with some authentic title, whether from the ambassadors, the consuls, the drogomans, or some other French subject, the said ambassadors, consuls, drogomans, or other French subjects, shall not be held liable for said debts.

#### ARTICLE LIV.

When the corsairs, or other enemies of our Sublime Porte, shall have committed any depredation on the coasts of our empire, the French consuls and merchants shall not be disturbed or molested; and, in this respect, the contents of the firman, heretofore granted, will be adhered to. It being necessary, for the common safety, to be able to recognize the criminals denominated pirates, when the Barbary or other corsair vessels come into our harbors, our commandants and their officers shall examine, with care, the passports of the said corsairs; and the firmans issued heretofore on this subject, shall be put in execution as formerly, with this condition, that the

French consuls shall examine, with care, whether the vessels which shall come into our ports, under the flag of France, are truly French; and, in conformity with the proceeding above specified, for the common safety, the said officers and consuls shall mutually advise each other, and in writing, if the case requires it, of the information which they may have obtained.

## ARTICLE LV.

The Emperor of France having been, from time immemorial, in amity and good harmony with our empires; and the most illustrious Emperor of France having given his particular attention to the negotiation of peace, which has just been concluded; and as a spirit of accommodation in certain matters is a means of confirming friendship, it is our will that, with respect to the merchandise which may be shipped in the ports of France, and imported into our port of felicity, in vessels truly French, with manifests given in the ports of France, and bearing its flag, and with respect, also, to merchandise shipped at our Sublime Porte in vessels truly French, to be conveyed to France, after they have paid the custom-house duty and the selam-etek-resni, or the duty of good voyage, conformably to the preceding capitulations; whether these kinds of merchandise be bought or sold by others with the French, the duty of the masderic shall not, under any pretence, be exacted. This article having been granted in consideration of friendship.

## ARTICLE LVI.

It having been granted to the French merchants, and to the dependants of France, that they should pay to the customs upon merchandise brought from their own country into the State under our dominion, and upon those which they export from here to their country, only three per cent., although the former capitulations specified only raw cotton, spun cotton, morocco leather, wax, hides, silks, and silk stuffs, besides these articles, excepting, however, those which are prohibited, they may take cargoes of all those which they are accustomed to carry away to their country, and which are specified in the tariff sealed by the collector of the customs, on paying the import according to the imperial capitulations.

## ARTICLE LVII.

Conformably to the imperial capitulations, when the French merchants have paid the customs at the rate of three per cent. and according to usage, received from the collector the tachenret, the latter, when they present it, shall be honored, and the duties shall not be demanded of them a second time. And whereas it has been represented to us that certain collectors of customs, influenced by cupidity, while appearing to demand only three per cent. have, nevertheless, in reality, demanded more; and as, in the valuation of merchandise, there is found to be an obvious difference in the different qualities of the cloths specified in the tariff of customs at Constantinople, and also in those of some parts, particularly those of Aleppo, where the merchandise specified in the tariff exceed three per cent.; in order to put an end to all disputes hereafter, permission is given so to reform the tariff upon cloths imported, as that the duties shall not exceed the three per cent. according to the imperial capitulations.

The French shall be at liberty to sell the merchandise imported to such of our bayas and merchants of our empire, as they please; and they shall not be molested, nor liable to disputes on this subject, under the pretext of wish-

ing to pay them, exclusively, to others [sous pritexte de vouloir les acheter exclusivement á d'autres.]

ARTICLE LVIII.

When the fas, or caps, which the French merchants bring from France, or from Tunis, arrive at Smyrna, the collector of the customs of Smyrna always creates disputes by saying that it is he who ought to receive the custom-house duties on the said caps; and it being necessary to put this article in a proper form, it is our will that, hereafter, the aforesaid collector shall not demand the duties upon the said fas, or caps, brought by the French merchants, which they do not sell at Smyrna; when they do sell them there, the duty upon the said caps shall, according to custom, be exacted by the said collector, but if the said caps be brought to Constantinople the duty shall be paid, according to custom, to the grand collector of customs.

ARTICLE LIX.

If the French merchants wish to carry merchandise, not prohibited from the States of our empire, whether by land or sea, in time of peace, by the rivers of the Danube, into the States of Muscovy and Russia, and other countries, and bring them from those countries into those under the dominion of our empire, they shall not, while engaged in this trade, be obstructed without cause, provided they pay the same custom-house duties, and all other duties whatsoever, as are paid by the other Frank nations.

ARTICLE LX.

Some vindictive and envious persons, for the purpose of vexing the French merchants, and disturbing their commerce contrary to the capitulations, not being able to execute their designs towards them, have assailed and disturbed, from time to time, without any right, the agent or brokers transacting business in the service of the French merchants. It is therefore our will that such brokers shall not, hereafter, be in any manner molested, and of whatever nation they may be, the brokers employed by the said merchants, no violence shall be done to them, and they shall not be obstructed in their employment.

The Jewish nation and other persons shall have no claim to the employment of a broker; and the French merchants shall be allowed to employ such persons as they please; and, when they dismiss any one, or when their brokers die, nothing shall be exacted or claimed from those who succeed them, under the pretext of a right to a portion of the brokerage; and those who violate the tenor of this article, shall be punished.

ARTICLE LXI.

Although it is declared in the capitulations, that the ambassador of France and the consuls, shall receive the duty of the consulate on merchandise shipped on board the vessels of their nation, nevertheless, this article meeting with difficulties on the part of the merchants and the bayas, subjects of our empire, we ordain that all those of our merchants or bayas who ship goods on board French vessels, shall pay the consulate duty, in conformity with the capitulations, on merchandise subject to impost; if the said duty is not comprised in the contract for the freight of the said merchandise, order will be given not to permit the said merchandise to be withdrawn from the custom-house until the consular duty has been paid.

## ARTICLE LXII.

As the Ottoman empire abounds in fruits, it is our will that, during the abundance of dried fruits, such as figs, raisins, nuts, and other like fruits, the court of France may send once a year, during years of abundance, two or three vessels, and purchase and take cargoes of the said fruits, paying the custom-house duties according to the capitulations; and after the vessels are freighted, they shall be suffered freely to depart.

The French vessels shall also be permitted to take salt, in the same manner as the Mussulmans take, it in the island of Cyprus, and in other places subject to our empire, without being hindered by our governors, cadis, commandants, or other officers; and it is our will that they be protected in virtue of the old capitulations renewed.

## ARTICLE LXIII.

French merchants, and subjects of France, who shall be provided with the certificates of the ambassadors or consuls, may travel with the passports that they have taken; and, for their convenience and security, they may dress after the fashion of the country, and transact their business in our vast empire; and this sort of travellers, conducting themselves properly, shall not be troubled with the duty staratch, nor any other duty. If they have effects subject to imposts, according to the capitulations, after having paid the duty on them as usual, the pashas, cadis, and other officers, shall not obstruct their passage; and, as above set forth, passports shall be furnished to them according to the tenor of the certificates; and, with regard to their safety, every possible assistance shall be afforded to them.

## ARTICLE LXIV.

French merchants, and those under the protection of France, shall not pay any duties on the gold or silver coin which they may bring into our territories, nor upon that which they take out of them; nor shall they be compelled to convert their coin into coin of our empire, nor be troubled in that respect.

## ARTICLE LXV.

If a Frenchman, or person under the protection of France, should commit a murder, or any other crime which would require the notice of justice, the cadis of our empire, or other commandants in the place where it may have occurred, shall not, in such cases, proceed, without the presence of the ambassador or the consuls, or their substitutes; and, in order that nothing may be done contrary to justice, or to the imperial capitulations, the proceedings on both sides shall be conducted with care and regularity, and every examination and investigation shall be made.

## ARTICLE LXVI.

In case our Imperial Treasury, or any of our subjects, should hold bills of exchange upon the French, the latter shall not be compelled to pay them, unless they should have accepted them upon presentation; and in case of a refusal to accept, neither they nor the nation shall be molested without lawful cause; but a letter of refusal only shall be exacted, in order that proceedings may be had against the drawer, and not against any other: and the ambassadors and consuls shall do all in their power to obtain payment from the drawer.

## ARTICLE LXVII.

The French residing in the territories of our empire, married or not married, which ever they may be, shall not be liable for the staratch.

## ARTICLE LXVIII.

If a French merchant, artisan, officer, or sailor, should become a Mussulman, all effects, except those belonging to him, found in his possession, and belonging to French subjects, shall (after the fact is proved and ascertained,) be delivered to the ambassadors and consuls, to be afterwards given to the owners; and in places where there are no consuls, they shall be delivered to persons sent by them, furnished with sufficient legal authority.

## ARTICLE LXIX.

If a French merchant wishes to go to any place, and the ambassador or consuls have become security for what he owes, he shall not be obstructed in his journey by being called upon to pay his debts, and a suit against him, involving more than four thousand aspres, shall be sent to our Sublime Porte, according to the capitulations.

## ARTICLE LXX.

The officers of justice, and the officers of our Sublime Porte, shall not, without necessity, forcibly enter a house inhabited by a Frenchman; and if there be occasion to enter such house, the ambassador or consuls, in places where there are any, shall have notice of it, and the proceedings shall be effected in the presence of the persons deputed by them. If any one disobeys this regulation, he shall be punished upon conviction.

## ARTICLE LXXI.

The cases at law which arise between the French merchants and other persons, being once adjudged, and juridically terminated by studget, it may happen that the pashas, cadis, and other officers, shall choose to receive them again, so that there would be no security in a judgment once pronounced; and it has been represented to us, that, in a case already decided in one place, judgments have been interposed contrary to the first.

In the case above specified, when the actions or suits at law which the French may have with other persons have been once investigated, and legally terminated and closed by the studget, they shall not be tried again at the same place. If it be required that these cases be tried again, no summons shall be issued for the appearance of the parties, before giving notice of it, and the reply of the consuls to the demand made to them for information upon the affair in question shall be waited for, nor shall chavouches or tip-staffs, nor moubachirs or commissaries, be sent; and a proper time shall be appointed for taking the necessary informations, and, in case orders are issued for a re hearing of these cases, they shall be tried and decided only at the Sublime Porte, where every case will be taken in the decision of them; and the subjects of France shall be at liberty either to appear in person, or to appoint in their stead agents duly authorized. In the actions or suits commenced by subjects of our Sublime Porte against any of the French, if the plaintiff is not provided with legal writings and with famaseks, the cause shall not be heard.

## ARTICLE LXXII.

It has been represented to us that, in the trials at law which take place, the expenses incurred in summoning persons, and in the ordinary fees, are borne by the person who has right on his side, so that *avanists* who unjustly bring suits and actions not being compelled to pay the costs of them, and not being punished for bringing them, are thus tempted to renew the offence. It is our will, therefore, that, hereafter, the said costs and expenses be borne by those who have the boldness to commence, contrary to justice, legal proceedings to which they have no right. When the French, or dependants of France, commence legal proceedings against the *bajas* or dependants of our Porte, for the recovery of sums due, no more than two per cent. shall be paid for the duty of *mahkemi* or tribunal of justice, or of *moubachir*, according to what is written in the ancient capitulations, and they shall not be vexed by having more demanded of them.

## ARTICLE LXXIII.

The French ships which may enter the ports of our empire shall be received amicably, and they shall be furnished, on payment, with the necessary articles of food and drink; and the transportation, sale, or purchase of such provisions shall not be hindered, nor any duties exacted.

## ARTICLE LXXIV.

When French vessels arrive in the ports, or on the coasts under the dominion of our empire, and the captains or masters of such French vessels find it necessary to caulk, careen, or otherwise refit them, the authorities shall not hinder them from being furnished, on payment, with the quantity of tallow, tar and pitch, and the number of caulkers which they may require; and if it happen that any French vessel should unfortunately stand in need of rigging, and there shall only be given to such vessel masts, yards, anchors, rigging, sails and materials for masts, and no present shall be demanded for the said articles. As to the French vessels which shall enter the ports, the collectors of duties, the *massellims*, the *haradgis*, and others of our officers, shall not detain them under pretext of demanding the *haradg* from the passengers on board, and they shall be at liberty to carry them to the place of their destination; and if there be found on board those vessels *rayas* subject to the *haradgi*, they shall pay, according to their obligation, the said duty to the *haradg* of the place, in order that no wrong may be done to the treasury.

## ARTICLE LXXV.

The mussulmans or subjects of our Sublime Porte shall not be hindered from freighting French vessels in our empire, and shipping goods on board them to be conveyed from one port to another; and as it has been represented to us, that, from time to time, the *rayas* of our Porte who freight French vessels quit them on the passage, and dispute the payment of freight according to their agreement, if such freighters shall, without lawful cause, quit the said vessels while on their voyage, the *cadis* and other authorities shall command that the whole of the freight due to the said captains shall be paid to them according to their *temessak* or certificate.

## ARTICLE LXXVI.

The governors, commandants, cadis, custom-house officers, saivodes, massellims, officers, chief of towns, syndics, and others, shall not, in any particular, infringe the imperial capitulations; and if, on either side, the said capitulations are violated by an injury being done to any one, either in word or deed, then, in the same manner that the French are punished by their consuls and superiors according to the capitulations, so orders shall be given, according to the exigency of the case, to inflict punishment upon the *rayas* of our Porte, upon the representations made by the ambassadors and consuls after the charge is proved.

## ARTICLE LXXVII.

If it happen, unfortunately, that a French vessel be wrecked on the coasts of our empire, every assistance shall be furnished; and if the vessel wrecked can be refitted, or if the merchandise saved be shipped in another vessel to be transported to the place of its destination, then, upon condition that this merchandise be not sold on the spot, no duties upon it shall be demanded.

## ARTICLE LXXVIII.

The captain pasha, the commanders of galleys, of ships, of caravels, of galliots, and of other vessels, above all, of those engaged in the trade of Alexandria, shall not detain nor molest the French ships, contrary to the tenor of the imperial capitulations, nor forcibly exact presents from them under any pretext whatever; and when French vessels, whether of war or commerce, are met with at sea, reciprocal marks of friendship shall be given according to custom.

## ARTICLE LXXIX.

The French vessels meeting at sea with ships of war and other ships called sultanas, although intending to render them the customary honors, have sometimes been unable to send their boat aboard as soon as they would wish, and have on this account been molested; however, provided they use their endeavors to comply with the usage on these occasions, they shall not be subject to vexations under the charge of delaying to come on board. The French vessels shall not be detained in our ports without cause; nor shall they be deprived by force of their shallops or of their seamen, particularly such of the said vessels as are laden with merchandise, for that would occasion them considerable injury, and hereafter nothing of this kind shall be permitted. The commanders of the aforesaid vessels of war, when they enter ports in which there are Frenchmen, shall establish a sufficient guard with officers, to prevent the lavents or Turkish sailors from doing any harm or wrong to the French, and the said guards shall watch over the safety of the said French and of their commerce; and if a complaint be made that the necessary measures for the safety of the said French have been neglected, and that they have suffered any wrong, the officers shall thereupon be punished; and, similarly, the French, on their part, shall not commit any unfriendly act.

## ARTICLE LXXX.

Whenever it shall be necessary, on account of the *miri*, to freight any French vessels, the commandants and other officers commissioned to do

this, shall give notice to the ambassador and consuls, in places where there are any, who shall designate the proper vessels; and in places where there are none, the vessels shall be freighted with the full consent of those having the control of them, and all the French vessels shall not be detained under this pretence. With regard to those that are laden, they shall not be compelled to discharge their merchandise, and shall not be molested for that purpose.

## ARTICLE LXXXI.

All that is contained in the former capitulations in the article concerning the corsairs of the republics of Barbary, is confirmed by the present; and although we have always been compliant on this point, we have, nevertheless, been informed that the aforesaid corsairs, not content with vexing the French ships when they meet them at sea, insult and molest the French consuls and merchants whom they find in ports that they enter: Hereafter, when such irregular proceedings take place, the governors, commandants, and other officers of our empire, shall protect and defend the said French consuls and merchants; and, upon proof given by the ambassadors and consuls that the vessels are truly French, the corsairs shall, by every means, be prevented from making them captive, when they come within the fortresses and ports of our empire; and no vessel shall be taken under a battery.

In the places of our empire, where there are governors and commandants, orders shall be given in which they shall be made responsible for all the wrongs and damages occasioned to French vessels by the aforesaid corsairs.

## ARTICLE LXXXII.

In order to prevent the buildings at Jerusalem, in the possession of the religious dependants of France, (as specified in the ancient capitulations now renewed) from falling into ruin by the lapse of time, whenever it be necessary to repair them, there shall be granted, on the application of the ambassador of France at the Porte, legal commands for such repairs; and the cadis, commandants, and others, shall not in any way impede the execution of these commands.

It has happened that our officers, under the pretext that secret repairs have been made in these buildings, have made many visits in a year, in order to exact payment from the religious persons; for this reason, it is our will that the commandants, cadis, and other officers, who may be in those parts, shall not visit more than once a year the church called as the Holy Sepulchre, nor the other churches and places subject to their visits.

The bishops and religious persons, dependants of the Emperor of France, residing in our well preserved empire, shall be protected so long as they conform to their duties. And no one shall prevent them from following their mode of worship, according to custom, in the churches held by them, as well as in the other places which they inhabit; and when our rayas and the French visit one another, to buy or sell, or transact other business, they shall not be molested contrary to justice on account of such intercourse. It being granted in the former capitulations that they may, in the discharge of their duty, read the gospel in the hospital of Galatea, and this article not having been observed, it is our will that hereafter they may, in the discharge of their duty, read the gospel in the said hospital, without being molested, according to the ancient capitulations.

## ARTICLE LXXXIII.

Inasmuch as the Emperor of France is the oldest friend of our empire of all other princes, it is our will that the French be treated in the most distinguished manner, and that all privileges granted to other nations shall be enjoyed also by them.

## ARTICLE LXXXIV.

In all that concerns the French, their ambassadors, consuls, interpreters, merchants, artisans, and other dependants, the captains of French vessels, mercenaries and others, the religious orders, bishops and others; provided they are within the line of their duty, and do nothing contrary to friendship, or the duties of sincerity, the present capitulations, old and new, shall be observed; and it is our will that they be put in execution with respect to the four different classes above mentioned; and if any firmans should be produced contrary to the tenor of the articles of the capitulations, these firmans, whether of anterior or posterior date, shall not be put in execution, but shall be regarded as null, and shall be erased and cancelled.

## ARTICLE LXXXV.

We not only renew and confirm the articles of the old capitulations existing between our Sublime Porte and the French, but we have also found it expedient and necessary, on account of sincere friendship, to insert these new ones, which we approve in like manner. It being our will that the articles of the present imperial capitulations be observed, and that every one refrain from violating them, rigorous orders in this respect shall be sent to all the commandants and other officers of the principal ports, and of the other places necessary, in order that they may be registered in the public mehkemats.

Finally, so long as his Majesty, the most illustrious Emperor of France, and his successors, shall be constant and firm in their sincerity and friendship towards our empire, and shall continue to give us proof of it, we, on the part of our Imperial Majesty, and on that of our successors, and also on that of our supreme vizirs, our honorable pashas, and all who are subject to our orders, bind ourselves by our imperial oath, the most sacred and inviolable, to maintain hereafter, and not contravene, in any particular, the present articles. Our intention being to strengthen continually the basis of sincere friendship and a good understanding, it is our will that these imperial and happy capitulations, which have been granted, be put in execution according to their noble tenor.

Written the fourth of the moon Rebiouloul, in the year of the Hegira one thousand one hundred and fifty-three, in our imperial city of Constantinople the well preserved.

Translated by me, the undersigned interpreter of the Royal Government at Marseilles.

MATHIEW PREVICK.

MARSEILLES, 23d August, 1823.

(SECRET.)

*Commodore Rodgers to Mr. Clay.—Extract.*

U. S. SHIP NORTH CAROLINA,

*Smyrna, 31st August, 1825.*

SIR: This will inform you of my having left Gibraltar on the 10th ultimo, on a cruise of observation among the Greek islands, having for its object the protection of our commerce, and the attainment of an interview with the Captain Pasha of the Turkish fleet, in the discharge of certain duties entrusted to my execution by the Department of State, and of which, on entering upon the duties of that office, you no doubt, sir, became acquainted with.

At the time of leaving Gibraltar, I was led to believe I should find the Captain Pasha at the island of Mitelina, but, on entering the Archipelago, I found he was with his whole fleet at Missilongi, at the entrance of the gulf of Patrasso, engaged in besieging that place by sea, in co-operation with the Pasha of Scutari, commanding the Albanian forces, by whom it had been invested by land. Finding the Captain Pasha so situated, I deemed it impolitic to attempt an interview so long as he continued thus employed, and accordingly put into this port for refreshments, with the intention of continuing here until a more favorable moment presented itself of communicating with him than I should have had any prospect of had I gone directly to Missilongi.

*Commodore Rodgers to Mr. Clay, Secretary of State.—Extracts.*

U. S. SHIP NORTH CAROLINA,

*Gibraltar Bay, Oct. 14, 1825.*

"By my letter to you of the 31st of August last, I gave you reason to suppose that I should, in all probability, obtain an interview with the Captain Pasha of the Ottoman fleet before I left the Archipelago. In this, however, I was disappointed: for, on reaching Napoli de Romani, the present seat of the Greek Government, (for which place I sailed from Smyrna, a few days after I wrote to you,) extraordinary as it may appear, it was not known to that Government, at the time of my arrival, where he was. This, at that period, I did not consider of much consequence, however, as, had I learnt where to find him, his situation, wherever he was, would have been such as, in all probability, would have precluded a communication without giving rise to a variety of speculations and conjectures, which, however absurd they might be, it was desirable to avoid giving the slightest grounds for. Consequently, instead of making any further attempt to obtain a personal interview, I determined at once that the most prudent course left for me to adopt now would be to communicate, by writing, and which I accordingly did by forwarding to him, through the hands of Mr. Offley, our consul at Smyrna, (in whose secrecy and prudence I could confide) a letter, of which the enclosed is a copy. The present Captain Pasha has hitherto been a favorite of the Sultan, and has enjoyed his confidence to a greater extent perhaps than any other individual has ever done before; but such is the superstitution and such the caprice of the Sultan, it is supposed, judging from the character of all who have preceded him, that, in the event of his failure to capture Missilongi before his return to Constantinople, no excuse he will have in

his power to offer will be sufficient to save him from disgrace: for, notwithstanding he has hitherto been so far successful in all his operations against the Greeks as to secure the approbation of the Sultan, it is said that, in the present instance, when most was expected of him, he has actually done nothing, whilst, at the same time, Ephrim Pasha, commanding the Egyptian forces, has succeeded in every enterprise he has undertaken from the day of his first arriving in the Morea, and in a manner, too, that will appear little short of a *miracle at Constantinople*."

"I have been thus particular in mentioning the situation in which the Captain Pasha now appears to be placed, in order that you may be apprized of the uncertainty of his retaining hereafter the power of furthering the wishes of our Government in securing a treaty with the Porte, affording to our merchant vessels the ingress and egress of the Black sea; and, at the same time, to suggest for your consideration whether, in this apparent state of uncertainty, it might not be advisable to take advantage of the existing perturbed state of the political relations between the Porte and several of the principal European powers, particularly with England and France, to consummate such a treaty as our Government may desire. That such a one might be made at this time, I have not the least doubt; and I feel no hesitation in saying it is my confident belief that, as long as the same state of things continues at Constantinople, and we have as respectable a naval force *here* as we have at present, that any person our Government might think proper to empower to conclude such a treaty would, if aided by a judicious display of our squadron at the island of Tenedos, (near the entrance of the Dardanelles) *pending the negotiation*, meet with no difficulty whatever. And, what serves further to strengthen this belief, is the favorable impression which our squadron is known to have made on the minds of the people of Smyrna at its late visit there, from the bashaw (of three tails) down to the meanest individual, occasioned, I presume, as well by the apparent superiority of our ships over those of other nations which they have been accustomed to see, as the strict neutrality we have uniformly observed between them and the Greeks, whose respect and good will, I have reason to believe that we also possess in an equal degree at least. Indeed, in every port in the Archipelago where the squadron has been, whether among the Greeks or the Turks, we have experienced nothing but respect, kindness, and hospitality.

"During our stay at Smyrna, I had ample proofs of the friendly disposition of the Captain Pasha towards our country, and of our being greatly indebted to his influence and good offices for the uniform protection, for several years past, that our merchant vessels have enjoyed in their intercourse with that port. Permit me, sir, therefore, to say, that, in recommending that some person should be here invested with powers to conclude a treaty with the Porte, that I do not mean to be understood as intimating that I think its negotiation ought to be commenced in any other way than through him, as has already been proposed, provided he should still continue to retain the Sultan's favor."

*Commodore Rodgers to the Captain Pasha.*

U. S. SHIP NORTH CAROLINA, OFF THE ISLAND OF HYDRA,

September 20, 1825.

I have the honor to inform you that the President of the United States of America has directed me, in the event of my having the happiness to meet you in the Archipelago, to express to you his thanks for the friendship you have always shown, and the protection you have so generously afforded to the citizens of the United States frequenting the port of Smyrna.

I have been directed, in the same friendly spirit, to communicate to your highness the confidence inspired by your proved good will towards the American nation;—the disposition of the Government of my country to establish the relations of amity and commerce between the United States and the Ottoman Empire, on the same footing they are now enjoyed by France and England. Not having had as yet the pleasure of a personal interview, and the necessity of returning to Gibraltar with the squadron under my command, making my longer stay in the Archipelago inconvenient, I take the liberty of making you this communication, and of requesting your friendly consideration of the subject to which it relates.

It is believed in America, that nothing but the opposition and jealousy of certain European diplomatists at Constantinople, more friendly to their own interests than to those of the Ottoman Empire, have hitherto impeded the accomplishment of the wishes of the Government of the United States to enter into friendly relations with the Porte, the perfecting of which, would so obviously be the means of benefitting both countries. It is indeed difficult to imagine any other cause that could make the Porte, which has so many treaties of amity and commerce with the European nations, who have so frequently shown themselves enemies to the Empire, indisposed towards a nation which has never been the enemies of the Ottomans, and which is far from bearing towards them any political or religious prejudices. A great and powerful nation, which, by the protection of the Supreme and Almighty Ruler of the Universe, is increasing in population, in strength, and in riches, in a manner unparalleled in the annals of the world; but the latter of which it never employs, however, except in way of self-defence against the violent and unjust. Relying, therefore, on the experienced friendship of your highness for the American nation, I have, in the name of my Government, to request that you will do me the favor, if it be in your power, to ascertain, on your arrival at Constantinople, whether the Grand Signeur would be disposed to receive an American minister, and accord to the American nation the same protection, and the same privileges in the Ottoman Empire, including the passage into and out of the Black Sea, as are already enjoyed by France and England?

Whatever reply to this communication your highness may be pleased to make, if committed to the care of David Offley, esquire, our consul at Smyrna, will be forwarded to me, and transmitted to the Government of the United States; assuring your highness, if it be in your power to obtain a reply favorable to the friendly disposition of the Government of my country, that you may rely with entire confidence upon receiving *ample* proofs of its sense of the obligations. I, with pleasure and respect, tender to your highness my best wishes for your health and prosperity.

JNO. RODGERS,

*Commanding U. S. Naval Forces, Mediterranean.*

To his highness the CAPTAIN PASHA.

*Commodore John Rodgers to Mr. Daniel Brent.*

U. S. SHIP NORTH CAROLINA,  
*Gibraltar Bay, Nov. 5, 1825.*

SIR: By the Brandywine, which arrived here on the 2d instant, I have received your letter of the 7th September last, with copies of the treaty between the French and Ottoman Governments in French and English. Mr. English I shall employ to compare the two copies; by which means, as he is a good French scholar, I shall obtain a correct translation. It affords me much pleasure to find that your city continues healthy. If I can be of any service to you during my stay in this country, I beg you will command me.

With great respect, &c.,  
JN. RODGERS.

DANIEL BRENT, Esq.,  
*Department of State, Washington.*

*Commodore John Rodgers to Mr. Clay, Secretary of State.*

U. S. SHIP NORTH CAROLINA,  
*Gibraltar Bay, Nov. 5, 1825.*

SIR: By the United States' frigate Brandywine, I have had the honor to receive your communication of the 6th of September last, and, by the same conveyance, was put in possession of two copies, one in French and the other in English, of the existing treaty between France and the Ottoman empire.

At the time of quitting the Archipelago with the squadron, I considered it necessary, and accordingly left the sloop of war Ontario there for the protection of our commerce in that quarter, with orders to remain there until the winter season should have so far advanced as to render the egress of the small Greek boats, in which alone, as yet, piracies have been committed, impracticable.

The Ontario, I expect, will join me at Mahon by the last of next month, or 1st of January; and by her I anticipated receiving an answer from the Captain Pasha to my letter of the 20th of September last; a copy of which I forwarded to you from this place by the brig Edwin, of New York, on the 14th ultimo; and, if I do, shall lose no time in communicating its contents. At any rate on her return I shall write you, as in the event of not receiving an answer from the Captain Pasha, I shall, without doubt, be informed of the cause by Mr. Offley, our consul at Smyrna, through whose hands I requested it might be conveyed.

With great respect, &c.,  
JNO. RODGERS.

Hon. HENRY CLAY, &c., &c., &c.

*Excerpt from a letter of Commodore Rodgers to Mr. Clay, dated U. S. Ship North Carolina, December 25, 1825.*

SIR: By the arrival of the Ontario from Smyrna, I have received a letter from Mr. Offley, our consul, of which I enclose a copy for your information

Mr. Offley, you will perceive by the information it contains, is intimately acquainted with the policy and feelings of the Turkish Government and people; and this he has acquired by a residence of fourteen years in Smyrna, the greater part of which time, I believe, he has discharged the duties of consul; and in a manner, too, judging from the estimation in which he appears to be held by the public authorities of that place and the different European consuls as well as American merchants residing there, not only creditable to himself, but beneficially to the commercial interests of his country. As his statement so fully corroborates that contained in my letter to you on the same subject, under date the 14th of October last, I feel it unnecessary to say more at present than that I shall be at Gibraltar with the squadron some time toward the last of March or first of April next, in readiness to execute any further commands you may see fit to honor me with.

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*Extract from a letter of Mr. Offley, Consul of the United States at Smyrna, to Commodore Rodgers, dated*

SMYRNA, 30th November, 1825.

"I have lately received a visit from the Pasha of the Captain Pasha, who passed through this place on his way to Constantinople. He informed me the Pasha had directed him to say how much pleasure he should have had in receiving a visit from you before your leaving these seas. When the Capudan Pasha may return to Constantinople, appears quite uncertain; in the mean time, your letter for him remains in my possession, as I should not think proper to entrust it to be forwarded by any of the ships of war which might leave this on a visit to the Turkish fleet.

"From the Pasha of Candia, I have received a letter, in which he requests his compliments to be given to you, and that I should inform you of the pleasure it would give him if you should make a visit to that place.

"Considerable disappointment has been felt at Constantinople that our Government did not send out in your squadron a minister to the Porte, and as this communication was made to me in a demi-official manner, I have thought proper to communicate it to our Government. It appears to me that there is good ground for the belief, that, if a minister had been sent out, he would not have had the least difficulty in obtaining from the Porte a commercial treaty, which should have secured for us every advantage enjoyed by the most favored nation. The political condition of the Porte, together with their uncertainty of our disposition, would not have allowed them for one moment to have slighted our offers of friendship. The power from whom we may expect the greatest opposition to our obtaining a participation in the trade of the Black Sea, was, at that time, so far from having any interest at Constantinople, that the Porte was even disposed to act in every manner against their wishes and interests. I have reason to believe it will be represented to the Divan, that our Government are equally desirous, with the Porte, to confirm and augment the friendship actually existing between the two nations, and that apprehensions that an embassy direct to Constantinople might not have that effect, has prevented their sending a minister or other diplomatic agent; that the Government of the United States could only accept of such terms as would place them on the footing of most perfect equality with any nation represented at the Porte.

A failure in obtaining such conditions, would render such a mission to Constantinople unsuccessful: that such an event would be highly disagreeable to our Government, and might, instead of augmenting the existing friendly dispositions, tend to disturb them; therefore, to avoid the danger of an event which would be so disadvantageous to the two nations, our Government wished to be informed of the disposition of the Porte on this subject: that, if it was disposed to treat on the basis of placing us on terms of equality with the most favored nations, I had not the least doubt our Government would no longer delay sending a diplomatic agent to Constantinople, with full power to negotiate a treaty of friendship and commerce between the two nations. I have little doubt, in my mind, were you to see the Capudan Pasha, he might be engaged to negotiate this preliminary; and, if so, should he return to Constantinople with his influence unimpaired, would have little difficulty in succeeding. Under this view, I am very anxious to see you return here early in the spring. I believe it would be possible to obtain from the Porte instructions to be given to the Capudan Pasha, which would authorize him to agree with you on the conditions on which a treaty should be negotiated, and in such manner as would bind his Government thereto. To obtain this, it would be necessary for an agent to go to Constantinople furnished with such documents as would prove him in possession of the confidence of our Government. It is probable, however, before such a preliminary could be obtained, which in fact would be settling the whole negotiation, that engagements should be made on our part what amount of presents should be made to the principal officers of the Porte on the termination of a treaty by an agent of our Government; and here, as has ever been my opinion, the most difficult part of the negotiation rests, and where the greatest management would be required.

"The passage into the Black Sea is regarded as a concession of great favor. It is, however, the only one worth either great pains or expense in obtaining, as our commerce to this country stands already on a tolerably fair footing; and, I may be allowed to add, through my unauthorized and unassisted means, that the passage into the Black Sea can be obtained on terms equally favorable with any other nation: I have no doubt, but, at what expense I am by no means equally certain, the advantages to be derived to our commerce in participating in the trade to the Black Sea, would be immense, as might easily be shown, and well worthy any expense which might attend procuring it. It will be for the Government of the United States to determine how far they will go to obtain this advantage, and for the agent charged therewith to get it at as much less as possible. If the presents to be made, are liberal, you thereby enlist the most influential characters to your and their own personal interest, without detriment to their sovereign or country.

"I beg to repeat to you my firm conviction that a treaty can be negotiated with the Porte, which shall place our commerce to all parts of this empire on a footing of equal respectability and advantage with any other nation, that will allow us a participation in the trade to the Black Sea, and thereby procure for our commerce such portion of the carrying trade from that rich country, as their industry and enterprise will not fail to procure for them—a trade which gives yearly employment to more than one thousand vessels, and from which we are now debarred. A consideration perhaps equally important, although the advantages would not be so immediate, would be to obtain access to the Russian empire in a quarter accessible for ten months in the year, and which would be the means, through American

enterprise, of making a change in the commerce of that empire advantageous to ours. These advantages our Government can obtain by pursuing the means they have in their power.

I have the honor to be, &c.

DAVID OFFLEY,  
*Con. Com. Agent, U. S.*

To Com. JOHN RODGERS, &c. &c.

*Captain Rodgers to Mr. Clay.*

UNITED STATES' SHIP NORTH CAROLINA,

*Vourla, (Asia Minor,) July 19, 1826.*

SIR: I have the honor to inform you that I have at length had an interview with the Capudan Pasha of the Ottoman fleet; and such, judging from the distinguished manner in which he received me, and the unrestrained scope he gave to his expressions of respect and good will towards our Government and country, as ought to leave no doubt on my mind, but that the meeting will have the desired effect, and that it will hereafter prove to have been an important step towards the opening a negotiation that shall secure to the United States many important commercial advantages, which, owing to the sly, crooked policy of European ambassadors, and a host of other foreign agents, particularly, \* \* \* \* \*, they have not hitherto been permitted to enjoy.

Having learned, on my arrival in this quarter, that the Capudan Pasha's fleet, after the capture of Missilongi, had gone to the Dardanelles, of its being still there, and that he would soon put to sea again, I considered this a favorable moment for effecting an interview, and accordingly left here on the 30th ultimo for that purpose; and, after a passage of three days, anchored before the island of Tenedos.

The second day after my arrival at that island, a division of the Turkish fleet, commanded by the Capudan Bey, consisting of two ships of the line, four frigates, and several corvettes and brigs, amounting in all to twenty-three sail, passed on its way to Candia, as was then said, for the purpose of forming a junction with the Egyptian fleet, previous to proceeding against Napoli di Romania and Hydra. From this officer, I learned that the Capudan Pasha would leave the Dardanelles with the second and principal division of the fleet, in eight or ten days from that time; but, at this instant, a frigate of the Capudan Bey's division, running on a sunken rock in the passage between Tenedos and Esnio, (plains of ancient Troy,) that occasioned the loss of her rudder, brought the Capudan Pasha to Tenedos the next day; and, to this accident, is to be attributed my meeting him sooner than I otherwise should have done.

The Capudan Pasha reached Tenedos on the 5th instant, and immediately despatched his confidential drogoman to apprise me of his arrival, and of his desire to see me on shore the next day, at such hour as I might appoint. To this message, I sent for answer, by the same conveyance, that I would do myself the honor of waiting on him the next day at 10 o'clock, and accordingly did so at that hour, accompanied by Mr. Offley, our consul for Smyrna, and Mr. Geo. B. English, my deputed interpreter.

The Capudan Pasha received us in the most courteous and friendly manner, and, after the usual ceremonies of welcome, &c. had passed, I informed him through Mr. Offley, who speaks Italian, and acted as interpreter on the occasion, that the President of the United States having been made sensible of his friendly disposition, and of the importance of the protection he had afforded to our commerce on these seas, had instructed me to tender his acknowledgments, and, at the same time, to express to him the hope he entertained of his, the Pasha's disposition, still further to augment and strengthen the good understanding now subsisting between the two nations. To this the Pasha replied, that, not only his own personal feelings were peculiarly friendly towards the Government and people of the United States, but that he could confidently add, that, on this subject, his sovereign, (the Sultan,) entertained sentiments similar to these he had just expressed; saying, at the same time, that it would give him great pleasure to be the means of forming such relations between his and the Government of the United States, as would be mutually advantageous.

It was now observed to the Pasha, that our Government would regret to take any measures which might possibly tend to disturb the friendly relations at present subsisting, and that, influenced by such considerations, it had delayed sending a minister to Constantinople until the President could be accurately informed of the disposition of the Porte relative to the formation of a treaty of friendship and commerce between the two nations; and here occasion was taken to explain that this information was thought the more necessary to prevent disappointment, as, in the event of an unsuccessful attempt to negotiate such a treaty, it might tend to lessen, rather than augment the existing friendship; that, situated as the two countries were, no relations other than those of friendship and commerce could exist; that it was a principle of the American Government not to form alliances, or to identify the political interests of the nation with those of any European power; and, consequently, that it would be incompatible with its own dignity to avail itself, on the present occasion, of the assistance of any of the sovereigns of Europe; and, furthermore, that any negotiation which might grow out of the present conference, the President would prefer having direct with the Porte; that the only inquiries and observations considered necessary to be made at this time, on the part of the Government of the United States, might be comprised in a few words. It was desirous of entering into relations of friendship and commerce with the Porte, on the principle that citizens of the United States in Turkey, and Ottoman subjects in the United States, should each enjoy all the advantages of the most favored nation; and that such, and such only, were the terms which could be accepted by the Government of the United States; that if through his (the Capudan Pasha's) good offices, the Porte should be inclined to negotiate on these conditions, and he would communicate such disposition to me, that I would immediately make known the same to my Government, which would, without doubt, as early as possible, send an agent to Constantinople with powers to make such a treaty. To these observations, the Pasha replied that he would immediately make known their contents to the Sultan. He said that, at this moment, in consequence of the recent changes that had taken place at Constantinople, (alluding to the changes made in their military system,) it was not probable his Government would immediately be able to take the subject into consideration; but that, in the course of three or four months at farthest, he should return to Constantinople, and assured me he had not the

least, doubt but that, through his influence, he should be able to place the subject in such a train as would lead to conclusions highly satisfactory and advantageous to both parties, and that he would then communicate the result to me.

The object of our conference being now thoroughly understood by both parties, the Pasha invited me to visit him at the Hellespont, where his fleet then lay, or, otherwise, if I preferred it, to wait his arrival at Mytilene, where he said he should be in ten days. I informed him that I was desirous of visiting that island myself, and as I knew how much he would be occupied with the equipment of his fleet until he left the Dardanelles, that I preferred deferring my visit until his arrival at Mytilene. I now took leave, and returned to the North Carolina; and the Capudan Pasha, the day after, left Tenedos, to join his fleet at the Hellespont. On the 9th instant, I departed from Tenedos with the squadron, and, after beating up and displaying our flag at the entrance of the Dardanelles, bore away for Mytilene, where I arrived and anchored the next day. On the 14th July, the Capudan Pasha made his appearance, and soon after anchored with his fleet, consisting of two ships of the line, seven frigates, seven corvettes, and sixteen brigs and schooners. Here, again, an interchange of civilities took place between the Turkish Grand Admiral of three tails, and my humble self; and on which occasion, it is said, that higher honors were paid to the American flag than had ever been shown to the flag of any other nation. The Pasha, on meeting here, returned the visit I had previously made him at Tenedos; and, on this occasion, I received him on board the North Carolina with the honors due to the third personage of the Ottoman Empire. After remaining on board upwards of two hours, affording himself time to be conducted over every part of the ship, which he scrutinized with peculiar attention and evident satisfaction, he now took leave of me in a very cordial manner, with many expressions of friendship and respect for the American Government and nation. On the following day, the 16th of July, accompanied by the captains of the squadron, and several other officers, I returned the visit of the Capudan Pasha. We were received with the utmost cordiality and respect; and, on leaving his ship, his flag, then flying at the main, was struck, and another, bearing the seal of the Sultan, (which it is asserted positively was never before hoisted, except on the occasion of the Sultan's going himself on board the Turkish fleet,) was hoisted in its place, and a salute of 21 guns fired. Here the Pasha took care to have me informed, that so extraordinary an honor had never been conferred on the flag of any European power; and, at the same time, directed his drogoman to express to me his hope that I would receive it as a proof of the sincere respect which he felt for the American nation. It is proper here to mention, that, previous to this, and before leaving the Pasha's ship, he informed me that, prior to his departure from the Dardanelles, he had written the Sultan to apprise him of the wishes of the President; and, at the same time, emphatically said that I need feel no apprehension on the subject, for that I might rest assured he would bring to a favorable conclusion the business which his friendship for the United States had occasioned being committed to his care.

At the moment of the departure of the squadron, the confidential drogoman of the Capudan Pasha came on board the North Carolina with the parting compliments of his master, requesting me to accept, as a token of his (the Pasha's) personal friendship, a Turkish pipe, a shawl, two silk gown patterns, two handkerchiefs, and a small box of sweet-meats, which he said

had been put up in his own haram. The gown-patterns, and handkerchiefs, he said, were the fabrics of Constantinople; and that the Pasha would be glad to receive from me, in return, samples of the manufactures of the United States. The drogoman also observed that he had been directed, by the Pasha, to inform me that he would like to be possessed of correct representations of our naval battles, of the plans of our principal cities, a general map of the United States, and of draughts of such of our ships of war as we most approved of, particularly of this ship, of our new frigates, and of the class of 3 deckers, which I informed him we had commenced building. On telling him that one ship of the class building at Philadelphia, (and of which I gave him a description,) would be quite or nearly a match for two such ships as this, he expressed great astonishment, and said that he had seen some of the best ships of England, France, and Russia, but that none of them would bear any comparison to the North Carolina.

Having now made you acquainted with the details of every thing of importance, which transpired at both interviews between this distinguished Turk and myself, I will only add, that so much apparent sincerity was depicted in every thing he said or did, as to leave no doubt on my mind but that he will exert his influence with the Sultan to the utmost to accomplish the promises he has made.

The success of the campaign against Missolongi has made him a greater favorite than ever with the Grand Seignor; and it is said that, on his return from his present cruise, should it prove successful, that he will most probably be appointed Grand Vizir.

It is but justice to Mr. Offley to say, that, owing to his knowledge of the Turkish character, habits, and manners, and the fluency with which he speaks the Italian language, I feel myself greatly indebted for the ease and convenience with which I was enabled to communicate with the Capudan Pasha.

With great respect, &c.

JNO. RODGERS.

P. S. Early in November, I shall send a vessel to Smyrna, in expectation that, by the time she reaches there, Mr. Offley, our consul, will be in possession of the Capudan Pasha's promised answer to the communication I made him at Tenedos: on receipt of which, I shall lose no time in forwarding it to you.

J. R.

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*Extracts of a letter from Commodore Rodgers to Mr. Clay.*

UNITED STATES' SHIP NORTH CAROLINA,  
Malta, February 14th, 1827.

SIR: Very much to my surprise, I have not yet received the communication of the Capudan Pasha of the Ottoman fleet, which he promised to make me on his return to Constantinople, and I know not how to account for his not having complied with his promise, unless it is to be attributed to the unfriendly reports which have lately been circulated by the agents of certain European powers in relation to the frigate Hope, in which they have represented to the authorities of the Porte, that large quantities of arms, and naval and military stores, had been transmitted to Greece for the

use of their enemies, and that this had been done with the knowledge and sanction of our Government.

I have taken pains to counteract, as far as possible, the injurious effect, which such reports are calculated to have on our commercial interests, and I still am induced to think that, ere long, I shall receive the Pasha's promised communication. The Pasha, not more than ten or fifteen days before the arrival of the *Hope*, sent me a splendid portrait of the Sultan, which he the Sultan sat for at his, the Pasha's, request, knowing at the time it was to be presented to me, and I mention this as a proof of the friendly feelings entertained by the Sultan and himself towards our Government and country previous to the arrival of the before mentioned frigate; for, before that time, it had been acknowledged not only by the authorities of the Porte, but by every body else, that we had maintained a strictly neutral character.

\* \* \* \* \*

The Capudan Pasha, since his return to Constantinople, is reported to be more popular than ever, and it is said that he is to be appointed Grand Vizir; that the present Pasha of Smyrna is to be appointed Capudan Pasha.

In justice to myself, permit me, sir, to say that, if I should fail, before my return, in executing the business which led to my communicating with the Capudan Pasha, it will not be my fault.

With the highest respect, &c.,

JOHN RODGERS.

The honorable HENRY CLAY, *Secretary of State*.



*Correspondence of Mr. Offley, United States' Consul at Smyrna, with the Department of State.*

SMYRNA, 25th November, 1825.

SIR: I have the honor to inform your excellency, that, since the departure of Commodore Rodgers from this place, his excellency Hassan Pasha, commanding here, has communicated to me that some disappointment has been felt by the Ottoman Porte that an ambassador has not been sent by our Government to Constantinople. I have conceived myself warranted to remark to him, that the Government of the United States was equally anxious with the Porte to augment the present friendly relations existing between the two nations. Apprehensions that, through the interference of others, an embassy to Constantinople might not have that effect, I was led to believe had hitherto prevented our Government from sending an agent, as a failure in obtaining from the Porte, for the trade of the United States, and for its citizens trading in the Empire, every and all advantages enjoyed by the most favored nation, could only be accepted; and that an unsuccessful mission would rather tend to disturb the existing friendship than to augment it. That if our Government was assured the Porte would negotiate a treaty of friendship and commerce on that basis, I was fully persuaded no delay would take place in sending an agent to Constantinople. The Pasha inquired if I had any instructions from my Government relative to this subject. On being informed that I had not, he expressed his opinion that our Government would not experience any difficulty in obtaining from the Porte the privileges enjoyed by the most favored nations, although he admitted those na-

tions already in the enjoyment thereof, particularly the free passage into the Black sea, affording employment to so large a number of vessels, would naturally use all their endeavors to prevent the Americans participating therein; yet that their influence at Constantinople was not so great as I appeared to apprehend. The replies of the Pasha to some questions made by me, induces me to suppose his observations were made from his private opinions on the subject: such evidently he wished them to be received, and not as an official communication from his Government. The well known high standing of this Pasha with his Government, and the reports he naturally will have made to it of the visit of the American squadron in this quarter, a circumstance which excited a great deal of interest, will have led to communications between them on this subject, and induces me to presume it of sufficient interest to merit the communication thereof to your excellency.

Since I had the honor last to address your department, an American merchant vessel from Boston has been at Enos, the sea port of Adrianople, where the captain reports me he was treated in the most friendly manner, and the duties regulated by the tariff agreed on by me with the Porte. Another vessel of Boston has been at Salinique, and although no complaints have been made to me as to personal treatment, yet there has been of the conduct of the customer, who imposed high duties on no other tariff than his own pleasure; and I regret to add that I have failed to obtain such documents relative thereto, from the parties interested, as would have enabled me to make a representation to the Government at Constantinople, thus to have used my endeavors to prevent the establishment of a precedent which may lead to disadvantageous circumstances.

The very friendly reception the American squadron met with here, I presume Commodore Rodgers will have already communicated to Government, and that he found the American trade and citizens in the enjoyment of especial favor and protection from the authorities of this place; to obtain and maintain this standing for my countrymen has subjected me for many years past, to very considerable expense; I beg permission to renew to your excellency the request already made by me to your department, whether it would not be just that my compensation should be made equal to that of other consuls established in Turkish ports?

I have the honor, &c.,

DAVID OFFLEY,

*Consul, Commercial Agent, United States.*

His Excellency HENRY CLAY, *Secretary of State.*

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*Extract—Mr. Offley to Mr. Clay.*

UNITED STATES' CONSULATE,

*Smyrna, 26th November, 1827.*

"I have the honor to report to you, that, in the month of June last, at the request of several American merchants, I applied to the Government at Constantinople to know whether American merchant ships would be received in a friendly manner at that place, and whether the rates of duties on their cargoes would be regulated by the tariff agreed on with me for this place. The request was made particularly for one vessel from Boston, bonded for

Constantinople. The person whom I charged to deliver my letter, received for answer, from the Seraskier Pasha, that I should shortly receive an answer to my application, and which, on another occasion, was repeated with the observation, that, as soon as the pressing affairs which then occupied the Porte, were finished, that I should receive an interesting communication. On the 11th instant, I received, by express from the Seraskier Pasha, a particularly friendly and complimentary letter, inviting me to visit Constantinople, as the moment was favorable for the termination of a commercial treaty between the Porte and the Government of the United States. This Seraskier Pasha was formerly Capudan Pasha, and is, beyond all doubt, the person possessing with the Sultan more influence and credit than any other member of the Divan."

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SMYRNA, *February 17, 1828.*

SIR: I have the honor to enclose herewith returns of the arrivals of American vessels at this port the past year, as also of their cargoes inwards and outwards, by which it appears our trade, both in number of vessels and value of their cargoes, has been larger than usual last year.

On the 4th instant, I received the enclosed letter for your excellency from Mr. Navoni, of Constantinople. Why it was sent open, I do not know; with the writer I have no acquaintance.

I had the honor to write you on the 26th Nov. last, informing you that I had received an invitation from this Government to visit Constantinople, as the moment was favorable for the termination of a commercial treaty with the Government of the United States. The Porte probably expected I was furnished with sufficient instructions to accept of their invitation, from the circumstance of my having accompanied Commodore Rogers on his visit to the Capudan Pasha, and that the only arrangement for the regulation of American commerce in the Levant, since it was retired from English protection, was made with me. I have informed the Porte that I am not authorized to enter into any negotiations with them; notwithstanding, I continue to receive frequent indirect communications from the Reis Effendi on that subject. Their present disposition to enter into negotiations with the United States, as I am informed, arises from a communication made to the Sultan by the former Capudan, now Seraskier Pasha, the Sultan's orders thereon, and partly also from the opinion entertained by the Porte, that, if a treaty of friendship existed between the two nations, they would be allowed to have vessels of war built in the United States, so to replace those destroyed at Navarino.

I enclose, herewith, accounts of the expenses of this consulate for the past year, as well as for assistance to distressed seamen. The number has been very great last year, principally seamen discharged from the Greek frigate, and those engaged by Lord Cochrane in France. Fortunately, Captain Nicholson, of the United States' ship Ontario, forwarded eighty of them to Mahon, after merchant captains, then in port, had refused four thousand dollars offered for their passages to the United States. Of the others, most of them came here sick, and in such a miserable state as forbid any consideration how far they had forfeited their right to assistance by having been discharged from foreign service. The balance of this account, \$358 50, and

amount of that for the current expenses, \$350, I have drawn for at ten days' sight, favor of B. Shenphliss, esq., and which, as it is for money advanced by me for the public service, I respectfully request of your excellency that he will order the same to be paid without the delay which the payment of my bill last year experienced.

By the post, arrived at this moment from Constantinople, I have received the enclosed Turkish writing, which was handed by the Reis Effendi to a Mr. Tsavardens, son of my drogoman, who is a merchant of this place, extensively engaged in the trade to the United States, and now at Constantinople, to which place he went for the purpose of retiring from the stores of a French merchant a considerable amount of property belonging to merchants of Boston, and which, it was feared from political circumstances, might be in danger of confiscation. The translation of the Turkish writing, also enclosed, was made by the drogoman of the Porte. The request of the Reis Effendi was, that it should be immediately sent to the American Government, and, in answer to the observation that it was without signature, replied, it was not the custom of the Porte to sign such notes. In compliance only with his request, do I forward it to you.

The Sultan, I am further informed from the representation of the Seraskier Pasha, gave orders to the Reis Effendi to conclude a treaty with the United States, and particularly to grant all privileges enjoyed by the French and English; and which order was given under the belief that some person in this country was authorized on the part of the American Government. At the time, I informed the Reis Effendi that I had not such authority, nor did not believe it possessed by any other person in this country. I remarked to him that, as agents sent by the American Government to Constantinople, hitherto appeared to have been unsuccessful, he would not be surprised should they decline sending others until they were well assured that all difficulties in the way of negotiating a treaty of friendship and commerce, on mutually honorable and advantageous terms, were removed. That if his excellency, in consideration of the desires manifested by the Government of the United States, would inform me in an official manner of the present friendly disposition of the Sublime Porte to terminate a treaty of friendship and commerce with them on the basis of the most favored nation, that I should take great pleasure in communicating the same, and doubted not my Government would meet such friendly advances in the same way. Such a document might, I am led to believe, have been obtained, had the necessary measures been pursued. So far from feeling myself authorized to pursue them, I feel bound to explain to your excellency that my being at all mixed in affairs so foreign to the duties of the appointment I have the honor to hold under my Government, has not been optional with me. To have entirely disregarded the communications of this Government would have been offensive, and might, under the actual circumstances of the residence of American citizens in this country, and their trade, have led to unpleasant, perhaps serious, consequences. Towards your excellency, for troubling him with this long report, I can only say, such appeared to me as my duty.

I beg to make it known to your excellency that if instructions were given to the commanders of American vessels of war on this station, that they should give convoy to American merchant vessels bound to ports not blockaded, loaded with merchandise not contraband of war, and that the flag should protect all merchandise loaded under it, a most valuable trade

could thereby be obtained for American shipping in this quarter. Should even the property in the cargoes be restricted to neutrals, still good employment would frequently present for our shipping.

I have the honor to be,

Most respectfully,

Your excellency's most obedient servant,

DAVID OFFLEY,

*Con. Com. Agent U. S.*

To the SECRETARY OF STATE.

*Translation of Turkish paper.*

The friendship and the desire which the United States of America have manifested towards the Sublime-Porte, that a treaty should be concluded between the two Governments, are known to be sincere. The delay, until now, must be attributable to destiny! But the present period is favorable for such a convention. If the United States, without delay, adopt the necessary measures and dispositions for proceeding to the conclusion of a treaty of commerce suitable to the dignity of the Sublime Porte, they will find the latter well disposed in this respect.

Constantinople, 7th February, 1828, and the 21st of Regess, 1243 of the Hegira.

*Mr. Offley to Mr. Henry Clay.—Extract.*

SMYRNA, April 22, 1828.

SIR: I had the honor to address you under date of the 17th February last, enclosing the returns of our commerce at this place the past year.

I presume it is a matter of sufficient interest to inform you that the brig Delos, of and from Boston, with a cargo, has lately proceeded from this place to Constantinople. At the Dardanelles, she was detained until permission from the Porte was obtained for her to proceed to that place, and which was not only granted in the most obliging manner, but sent by a Government Tartar to the Dardanelles. An attempt will be made to get permission for this vessel to proceed to the Black Sea, and which I think highly probable will be successful. Certainly this advantage for our commerce might now be obtained without difficulty," &c. &c. &c.

I have the honor to be, your excellency's most obedient servant,

DAVID OFFLEY,

*U. S. Con. Coms. Agent.*

To his Exc'y HENRY CLAY,

*Sec'y of State, &c. &c. &c. Washington.*

[TRANSLATION.]

*Mr. Navoni to Mr. Clay.—Extract.*

PERA, AT CONSTANTINOPLE, January 24, 1828.

"The communications which I have had the honor of holding with Mr. L. Bradish, and with the Porte, for the purpose of concluding a treaty of

commerce between the United States and the Sultan, are no doubt known to your excellency; and they have authorized me to profit by the favorable disposition which I have perceived in the Ottoman Government, in order to renew the communications on this subject, which have been for some time suspended. Nevertheless, I never should have considered myself authorized to enter by myself into the discussion of a matter so important, either with the Porte or with your excellency, if previous occurrences had not furnished me with a motive for doing so, particularly the degree of maturity to which I had the honor of bringing the affair under the direction, and during the residence here of Mr. Bradish, who, on taking his departure, at the time when the Greek insurrection burst out, and occupied the whole attention of the Porte, authorized me, by a letter which he was pleased to address to me, and of which I have the honor to enclose a copy, to continue to solicit a categorical answer from the Porte to his last note.

Since then, I have kept this object constantly in view; and being earnestly solicited by Mr. A. Franchini, counsellor of state, and first interpreter of the Russian embassy, to renew my communications with the Porte on this subject, I deemed it my duty to do so; and I have had the satisfaction of bringing the matter to the state which your excellency will perceive from the enclosed historical narrative to my conversations with the Reis Effendi, the Minister of Foreign Affairs.

The \*\*\*\*\* policy of the Porte retards, and often causes the failure of negotiations that do not come within the old routine of their habits. They are alarmed at every appearance of innovation, particularly when agreements are to be concluded and signed with Christian powers, of whom they are generally distrustful. At the present moment, they consider themselves as released from their obligations to the preponderant powers that have influenced them—obligations which they would willingly destroy forever; and they are particularly glad to be relieved, by the cessation of their diplomatic relations with England, from the *surveillance* which that power has exercised over them with regard to a proposed treaty with the United States of America.

If, on account of the actual state of political affairs, the Government of the United States is not willing to appoint and despatch a plenipotentiary openly, Mr. Otley might, I should think, on account of the well merited consideration in which he is held by the Porte, and the confidence which his noble qualities have inspired, be charged with full powers to prosecute this business. I am even of opinion that the Porte would be pleased with this arrangement.

It is the earnest wish of the Porte to conclude a treaty, but it is my duty to state, also, that their overtures and propositions are not merely commercial."

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*Mr. Luther Bradish to M. Navoni.*

SIR: Having resolved to depart, I leave to you the task of soliciting from the Sublime Porte a decisive answer to the note which I addressed to it on the 18th of November, 1820, which you will transmit to me.

L. BRADISH.

PERA, 7th Feb. 1821.

## [TRANSLATION.]

*Summary narrative of communications with the Sublime Porte.*

In 1820, Mr. L. Bradish made his appearance in the capital of the Ottomans, and the Prince Iran Calimaki, at that time the drogoman of the Porte, inquired of me more than once whether I knew that personage, or whether I could establish an acquaintance with him in order to suggest to him, in case it was actually his intention to make propositions for the conclusion of a treaty, to address himself directly to the Sublime Porte; for the latter would be under the necessity of giving a refusal, if Mr. Bradish should undertake to urge his claims through indirect channels, (meaning thereby the foreign legations.) I hastened to make the acquaintance of Mr. Bradish, and acquitted myself of the commission with which I was charged; and, in consequence of the reception which these overtures met with on the part of Mr. Bradish, I became the channel of communication between him and the Porte. The latter at this time manifested the most favorable dispositions, and there was reason to hope that the measures of Mr. Bradish would be crowned with success. When the first symptoms of the Greek insurrection appeared, and were followed by a general commotion, Prince Calimaki, the drogoman of the Porte, hastened to remark to me that these occurrences would be unfavorable to the establishment of the proposed treaty, notwithstanding the wishes of the Porte; and, in fact, the most deplorable disorders and catastrophes signalized this era of miseries. Some days afterwards, the Sublime Porte made, in an official note, the same reply to Mr. Bradish, assigning as a reason the distracted state of the internal affairs which occupied their serious attention, and certain conditions of things in Europe, which presented obstacles. The principal reasons were, as the Reis Effendi of that time told me personally, that the insurrection which had been discovered, and which was about to burst forth and extend itself, induced him to suspend the negotiation of the proposed treaty of commerce in order to avoid the displeasure of England, and in the hope, (foreseeing then what has since occurred,) of obtaining the good will of that power. Mr. Bradish, under circumstances so unfavorable, (not on account of any disinclination on the part of the Divan, but on account of the imminently perilous state in which the Turks were placed,) concluded upon suspending his exertions; but, in doing so, addressed another note to the Porte, to which he requested a clear and decisive reply. The Porte, however, whose fears were increased by the increasing confusion in their affairs, were unable to give such written answer, and postponed the subject until a more tranquil epoch.

Mr. Bradish, wholly sensible of the importance of the motives by which the Porte was now guided, addressed me a letter, in which he authorized me to solicit the answer, described above, which he desired; but the same causes which at that time prevented the Porte from complying with the wishes of Mr. Bradish, have existed until now. Nevertheless, I have continually kept in view the object which Mr. Bradish proposed to himself, nor have I, during this long space of time, neglected to encourage and cultivate the wishes of the Divan as to the conclusion of this business.

About the close of the month of September last, a person of influence in state affairs sent for me, and interrogated me with respect to Mr. Bradish; asked me where he then was, and whether he was in the vicinity; and whether I knew, or not, that there was a person in the Levant charged with powers to negotiate and conclude a treaty between the Porte and the

United States of America. Upon replying that I was unable to answer his questions, he requested me to obtain information upon the subject. Subsequent to this interview, I learned that Mr. In'ed Jong, the Danish consul at Smyrna, was charged also with the commercial affairs of the United States of America; and I addressed him a letter soliciting information. The Porte did the same with Hassan Pasha, governor of Smyrna, who was commissioned to make a similar inquiry of Mr. Offley. The answer which I received from Mr. De Jong is herewith included.

During this interval, the battle of Navarino occurred—interrupted the external relations of the Porte, suspended all the current business of the interior, and gave rise to all sorts of disorders and military preservative measures.

On the 2d of January of this year, I was again sent for by the person abovementioned, to whom I communicated the reply of Mr. Bradish, and promised to appear before Reis Effendi—since it was the desire of this Government to adopt measures to promote the success of the negotiation. Consequently, on the first of the same month, I waited on that minister, whom I informed, very confidentially, that I was authorized by Mr. Bradish to solicit an answer to his last note relative to the negotiation of a treaty with the Sublime Porte; and being aware of the facilities of the period, which had been pointed out to me, I addressed myself to him in order to ascertain whether the Porte would, under existing circumstances, open the negotiation. The minister replied to me that he was perfectly acquainted with this affair, and with all that had taken place, and that I might wait upon him again in three days, when he would be able to give me an answer; and, also, that he had various questions to put to me; meantime, he asked me whether I knew where Mr. Bradish then was? I replied that I supposed that he was in Switzerland; that I had received no news of him, but that if I should have the good fortune to receive a satisfactory reply, I would find means to transmit it speedily and directly to the Government of the United States of America. The Reis Effendi then observed, that he had heard that there was an American naval commander at Smyrna, who was supposed to be clothed with full powers, and asked me what had become of him. I replied to the Reis Effendi that I had no knowledge of this fact; but that whether it were so or not, it appeared to me that there was now an opportunity of paying a compliment to the Government of the United States by inviting them to open the negotiation of a treaty of commerce, at a time when, on account of political circumstances, they would least expect such invitation; and that, moreover, the Americans had claims upon the gratitude of the Porte on account of the policy which they have pursued with regard to the affairs of Greece; for, though not bound by any treaty, and having cause to be discontented with the refusals of the Sublime Porte, they had nevertheless observed a strict neutrality, and thus manifested their respect for law and equity—a quality which is highly prized by the Sublime Porte, and upon which it bases all its treaties. On the 8th of January, I waited again on his excellency to receive the answer which he had promised me on the 4th of that month, and to hear the questions which he had announced his intention of asking.

He began by asking me whether I knew any person in the Levant who was authorized to negotiate and conclude a treaty with the Sublime Porte; and whether I knew, to a certainty, that the commander of the American squadron had left Smyrna? To the first question, I replied that I knew no

such person, and that, as to the commander of the squadron, I did not know positively and officially, but I had heard, as a certainty, that he had sailed for America some days after the battle of Navarinc. After those questions the Reis Effendi desired me to address a letter to the Sublime Porte, requesting, as I was authorized to do, an answer to the last note of Mr. Bradish, which had been communicated through me.

On the 12th of the same month, I again waited on the Ottoman minister, with the demand which he had desired me to make in writing. Upon reading it, he expressed his satisfaction, but observed that it was not sufficiently explicit—that I did not come to the point; and expressed a wish that there were some person charged with full powers to open the negotiation immediately. I thought it my duty to observe to his excellency that I was not authorized, and therefore could not presume to enter at all into particulars; that I could do no more than fulfil the commission entrusted to me by Mr. Bradish, and solicit a decisive answer from the Sublime Porte, whether they were disposed to conclude a treaty of commerce with the Government of the United States of America; and that, my commission being limited to that, it was my only and sole demand. The Reis Effendi observed, that hitherto the Ottoman Government had been prevented, by many causes, from accepting the propositions made to it, particularly their relations with some of the European powers; but as these motives no longer existed, and they were not restrained by such considerations, they had decided upon concluding a treaty with the United States of America; and although I had declared that I was not empowered to do this, the minister obligingly said to me that, having been inspired with confidence in me, he desired me, officially, in his capacity of Minister of Foreign Affairs, to communicate to the Government of the United States the present dispositions and communications of the Porte, in order that they might send a negotiator. I immediately observed to the Reis Effendi that it would be proper to make this invitation in an official note addressed to the Government itself, in order that no doubt might exist as to the intentions of the Sublime Porte, and that I would make it my business to transmit it safely and speedily. After a silence of some moments, the minister told me that, having written to Hassan Pasha, the Governor of Smyrna, in order to obtain certain information as to the alleged existence of a plenipotentiary in the Levant, it would be necessary to wait his reply; but that, in order to lose no time, I might, in the meanwhile, inform the Government of the United States of the actual disposition of the Porte to conclude a treaty based on reciprocal advantages; that he was aware that the Government of the United States would not be satisfied with a treaty similar to those established with Sweden and Sardinia; and that I might inform the said Government that the Porte was willing to conclude a treaty upon the plan of those with powers of the first rank; but that as the Sublime Porte ought also to derive some advantage from this, they would make proposals *for an alliance in due form, according to me*; to which I replied, that, in my opinion, this would be very difficult, from various causes and reasons growing out of the present political state of Europe; and that, moreover, since the time when I was charged by the Porte with the first overture which I had made to Mr. Bradish, there had been no mention, on either side, of any other than a commercial treaty. My opinion, however, could have no influence on the measures which the Porte proposed to adopt to this end; and the answer depended altogether upon the Government of the United States; for the Porte, being able to

insist upon reciprocal advantages, might test the operation of such an alliance without the actual execution of it. Then the Reis Effendi observed to me, that, under actual circumstances, the Porte could not be satisfied with the advantages which it, and the nation in general, might derive from mere trade; but that their object would be political advantages, and the means of repairing as speedily as possible the loss which they had sustained at Navarino; and since I thought it useless to make the above proposition, the Porte desired, at least, to know whether they could procure, in the United States of America, the number of vessels that they had need of; that they were not in the want of the means of building them, but that it would require a year and more to do so, whereas, in the other way, they could, in a very little time, replace those that they had lost. Not being able in any manner to enter into the discussion of matters of such high importance, I limited my answer to observing to the Reis Effendi that the development of these subjects belonged to the plenipotentiaries; but that whether for a purpose of such great political importance, or for a merely commercial purpose, it was necessary that I should obtain a written document from the Porte, in order to accelerate the opening of a negotiation. Notwithstanding the reiterated solicitations which I have made up to the present time, I have not been able to procure a written note. This is certainly not on account of any disinclination in the Porte to enter into a negotiation, but it must be attributed to that reserve, and those old, innate prejudices in the Ottomans, which prevent them from making any advances towards Christian powers, until they have been defeated in war.

NICOLAS NAVONI.

PERA, AT CONSTANTINOPLE, 24th January, 1823.

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[TRANSLATION.]

*Literal and exact translation of the Convention concluded at Constantinople on the 16th October, 1827, between the Minister of Foreign Affairs and the Charge d'Affaires of ———, concerning the navigation and trade of the Black Sea.*

The circumstances which led to the formation of this instrument, are these. The court of ———, which, by an ancient treaty, is in relation with the Sublime Porte, and the most high imperial court, (which God preserve to the end of ages,) having prayed and requested of the Porte that it would be pleased to grant to their merchant vessels permission to navigate and trade in the Black Sea in the same manner as the merchant vessels of other friendly powers; and the Sublime Porte, on its part, being desirous to discharge towards the magnificent (*magnifique*) King of ——— the duties of respect and esteem, and also to put in execution the seventh article of the convention recently concluded at Akerman with the court of Russia, relative to the commerce of the Black Sea: the Minister of Foreign Affairs having conferred on the subject with the judicious (or enlightened) ——— the present Charge d'Affaires of ———, and it having been agreed between them that their relations as to the trade of the Black Sea should be established and regulated in such a manner as to be productive of common and reciprocal advantages to the contracting parties, the articles undermentioned and recited were drawn up and agreed to, as follows:

## ARTICLE I.

The Sublime Porte having granted to the merchant vessels of ——— permission to pass with their flag from the White Sea into the Black Sea, laden with the productions of their own country, or with those of other States, and from the Black Sea to the White Sea with a cargo of Russian produce, henceforth all ——— vessels which shall arrive in the channel of the imperial city, shall first be visited by the inspectors of the Sublime Porte, in the same manner which is actually practised with regard to Austrian, English, and French vessels. If there should be found on board of them any merchandise prohibited in the States of the Ottoman empire, such as *terekis*, grain of all kind, arms and other instruments of war, horses, raw cotton, spun cotton, leather, lead, wax, morocco, tallow, sheep skins, *ghien*, resin, brimstone, silk, wool, *berenfouk*, *iste folik*, goats' hair, oil, linen fabrics, or, moreover, rayas (Ottoman subjects) passengers, sailors, or deserters, these shall be discharged and landed; after which the vessels will receive the sublime commands called *isin sefene*, necessary for them to pass free of all difficulties and obstructions, except such as may result from the state regulations of the Sublime Porte.

The purchase of vessels belonging to the Ottoman States will be prohibited, as it has been, at all times.

## ARTICLE II.

In reciprocation of the profits and advantages which the ——— merchants will derive from this trade, the Sublime Porte having in an eminent degree the right of deriving also some advantage from this concession, it has been agreed that it shall levy, in a suitable manner, a permit duty proportionate to the burthen of the vessels of ——— which shall pass as abovementioned. For this purpose, the vessels have been divided into three classes. The first, of the burthen of 16,000 kilots, the second of 11,000, and the third of 6,000. According to this classification, vessels of from one thousand to six thousand kilots, shall be considered as of six thousand; those above six thousand to eleven thousand, shall be considered of eleven thousand; and those which exceed the burthen of eleven thousand, shall be considered as of 16,000 kilots. In consequence of this arrangement, whenever these vessels shall arrive in the channel of the imperial city, and obtain permission to pass into the Black Sea, (the passage in and out being considered as forming one voyage,) they shall pay, at the time of their departure for the Black Sea, at the following rates. Those of the first class, 600 piastres; those of the second, 450 piastres; and those of the third class, 300 piastres; which duties shall be deposited in the treasury of the admiralty, to which they have been assigned; and neither party shall be permitted to create difficulties in this respect by offering a less sum, or demanding a greater.

## ARTICLE III.

Henceforth, as soon as the regulations for inspection, above established, shall have been enforced upon the vessels of ——— passing under their flag through the channel of the imperial city, not only shall they be free from the useless obstructions not experienced by the vessels of other powers, but if, on entering the port of Constantinople, on their return, they should represent that from their vessels having sprung a leak, their cargoes would be in danger of being wetted and spoiled, and that therefore they

should desire to remove them on board other vessels, then, as is the practice towards the vessels of the powers abovementioned, the ——— legation shall first give information thereof to the Sublime Porte, the case will be referred to the inspectors of the custom-house and of the port; and, upon their report, the removal will be permitted by a firman, *tonghraki*, that is to say, written, and furnished with the imperial mark, and publicly executed.

## ARTICLE IV.

In the same manner, as in virtue of existing conventions between the two courts, the subjects of ——— are protected in the capital, and in other well guarded places belonging to the Sublime Porte in the Black Sea, so henceforth shall they be protected in such places in the White Sea. Therefore, if it should happen that their vessels, in consequence of misfortunes at sea, should need repairs, they may have them careened and caulked, and may purchase with their money such provisions as they require, and in none of these proceedings shall they be in any manner molested without lawful cause: the court of ——— being, in like manner, bound to extend to the merchant vessels of the Sublime Porte, which may enter their ports, the same distinctions and immunities as are enjoyed by the merchant vessels of the most favored nation. Both parties shall be careful to execute constantly all the foregoing.

## CONCLUSION.

This instrument concerning the trade of the merchant vessels of ——— in the Black Sea, amicably drawn up and agreed to in the manner above announced in a preliminary discussion, and set forth in four articles, signed and sealed by the contracting parties, shall be accepted and ratified by the exchange of official notes, within three months, or sooner if possible.

Written during the last days of the moon of Rebiul Evoel, in the year 1213; to wit, the 16th October, 1827.

Signed, in the Turkish original:

El Mustemedi min Allah-el-Melikel vehab,  
[L. S.] ESSEID MEHEMMED SAID PERTE.

*Reissul Kintab.*

That is to say: by Esseid Mehemed Said Perte, Grand Chancellor and Minister of Foreign Affairs, who implores the aid of God, the dispenser of favors.

An exact and literal translation:

NICOLAS NAVONI.

## [TRANSLATION.]

*Mr. Jong to Mr. Navoni.*

SMYRNA, 3d November, 1827.

SIR: I have had the honor of receiving through Mr. the Baron de Hubek, your letter of the 26th ultimo.

As it is gratifying to me to be able to serve or please you, I have the honor to state to you, in reply, that I know of no person in this country who

can have been authorized or commissioned to negotiate a treaty between the United States of America and the Porte. If there were such a person, it could be no other than my friend Mr. David Offley, the consul of the United States; but I am not authorized by him to believe, still less to say, that he has such powers. I can, however, inform you that he has constant, direct, and regular communications with the Government of the United States; and that whenever you wish to forward a despatch to America through him, and will send it to me, I will take pleasure in delivering it to him for that purpose.

Be pleased to assure yourself of the most perfect consideration, with which I have the honor to be, &c., &c., &c.,

INT. DE JONG.

Mr. N. NAVONI, *Constantinople.*

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JOHN QUINCY ADAMS, *President of the United States of America, to all to whom these presents shall come, greeting:*

Know ye, That, reposing special trust and confidence in the integrity, prudence, and abilities of William M. Crane, a Captain in the Navy of the United States, and commanding their squadron in the Mediterranean, and of David Offley, Consul of the said United States at Smyrna, I have appointed them, and each of them, jointly and severally, commissioners for the United States of America, for and in their name to confer, treat, and negotiate with the Government of the Sublime Porte, or with any person or persons duly authorized on their behalf, of and concerning all matters of navigation and commerce between the United States and the Turkish dominions; with full power to conclude and sign a treaty thereupon, or to give their assent to a capitulation therefor; transmitting the same to the President of the United States for his final ratification, by and with the advice and consent of their Senate.

Given under my hand at the city of Washington, the twenty-first day of July, one thousand eight hundred and twenty-eight, and of the independence of the United States the fifty-third.

JOHN QUINCY ADAMS.

By the President:

DANIEL BRENT,  
*Chief Clerk of the Department of State,  
in the absence of the Secretary.*

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[SECRET AND CONFIDENTIAL.]

*Mr. Adams to Commodore Crane.*

WASHINGTON, July 22, 1828.

SIR: The enclosed copy of a letter to David Offley, consul of the United States at Smyrna, will inform you of the overtures which have been made, on the part of the Ottoman Porte towards the negotiation of a treaty with the United States.

I have deemed it important to the public interest that we should avail ourselves of this opportunity for an effort to secure to the United States the

advantages of such a treaty; and to their commerce, that of a free admission to the navigation of the Black Sea.

My confidence in your abilities, patriotism, and discretion, has induced me to commit this important trust to you, jointly with Mr. Offley; and I write you, personally, in the absence of the Secretary of State.

You will address all your despatches on this subject to the President of the United States; but they may be enclosed under cover either to the Secretary of State or to the Secretary of the Navy. You will observe every proper precaution for keeping the whole transaction as secret as possible.

Mr. Edward Wycer will be the bearer of these despatches, and will act as a Secretary under your directions during the negotiation.

He is instructed to repair, in the first instance, to you; and then, unless you should deem other arrangements expedient, he will proceed to Smyrna to Mr. Offley, with such communications as you shall deem it advisable to make to him. It is believed to be most prudent that Mr. Offley, if the prospect of a successful negotiation should continue fair, should first proceed to Constantinople alone; and, upon ascertaining that a favorable treaty may be concluded, should give you as early notice as possible, and that you should then join him to complete the business. But as we are unable to foresee what may be the precise aspect and condition of affairs at the Porte, your mode of proceeding is, in the last resort, left to your own discretion; and, unless there should be a fair prospect of success, you will not undertake the negotiation.

A letter of credit, to the amount of twenty thousand dollars, is herewith furnished you by the Secretary of the Navy upon the Navy Agent at Gibraltar, to be used only for objects relating to this negotiation.

You will regularly advise me of every draft which you shall make on this credit, and keep an exact account of the expenditures made under this authority; which you will transmit, certified by yourself, and supported by such vouchers as may, without exposure of secrecy, be obtained.

Your necessary expenses in the performance of the service will be allowed, and any additional compensation which Congress may hereafter sanction.

With respectful consideration,

JOHN QUINCY ADAMS.

Captain WILLIAM M. CRANE,

*Commander of the Squadron of the  
United States in the Mediterranean.*

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[ MARKED SECRET AND CONFIDENTIAL. ]

*Mr. John Quincy Adams to Mr. David Offley.*

WASHINGTON, 21st July, 1828.

SIR: Your letters of the 26th November and 17th February last, to the Secretary of State, have been received; and, with the latter, a communication from Mr. Nicholas Navoni, dated at Pera, at Constantinople, the 24th of January, enclosing sundry papers, among which, one in the Turkish language, not signed, but stated to have been received from the Reis Effendi, and expressive of a willingness, on the part of the Sublime Porte, to negotiate a treaty of commerce with the United States.

A joint commission to Captain Crane, commander of the squadron of the United States in the Mediterranean, and to you, with full power for negotiating such a treaty, is herewith transmitted.

The principal objects of the United States in the negotiation of this treaty, will be, 1st. To establish, upon a firm and permanent basis, the relations of friendly and commercial intercourse between the United States and the dominions of the Ottoman Porte. 2d. To obtain for the vessels of the United States the right of admission to, and navigation upon, the Black Sea.

With regard to the first, the general principle which the United States will expect to be assumed, to extend over all the stipulations of the treaty, will be, that the vessels, citizens, and subjects, of either party, shall enjoy, in the ports and dominions of the other, the privileges of the most favored nation.

It is not deemed necessary to give you instructions in further detail. Your long residence, and official station at Smyrna, having given you a full knowledge of the commercial condition and regulations of the country, you will be careful to cause to be included in the treaty every article necessary to secure protection to the persons and property of citizens of the United States in the Turkish dominions. The capitulations of some of the European powers with the Porte are very voluminous, and provide exemptions from impositions, taxes, and even religious ordinances; which exemptions should be extended to us, either by a general article like the 83d of the capitulation of 1740, with France, or by the adoption of separate articles of the same import.

It is understood, that, in the execution of the capitulations, there have been frequent complaints by the subjects of European powers arising from incorrect translations from or into the language used by the Porte in their diplomatic acts. The capitulations are, in point of form, rather ordinances of the Porte, containing concessions to the other party, than treaties of reciprocal and correlative engagements. Of the articles to which you may agree, you will be careful to provide that the translations shall be correct, and such as will be received on both sides as of the same import.

On receiving this letter, with the accompanying commission and full power, you will act upon it only in the event that the state of affairs shall continue to be favorable for the negotiation of a treaty. It will be, probably, most advisable that you should, in the first instance, proceed to Constantinople alone, and give notice to Captain Crane to join you there, when you shall have ascertained the practicability of an early and satisfactory issue to the objects of the mission.

In the event of the conclusion of a treaty, for the necessary disbursements connected with it, including the presents customary and indispensable, an authority is herewith given to Captain Crane to draw upon the Navy Agent at Gibraltar. Acquainted as you are with the principles upon which the Government of the United States is founded and administered, you will observe the utmost practicable economy in the expenditure of money, keeping it within the bounds of urgent necessity. Your compensation for this service, additional to the payment of your expenses, will be such as Congress, by a future appropriation, may sanction.

In the absence of the Secretary of State, I have thought proper to address you this letter. It is very desirable that the negotiation should be brought to a speedy conclusion, and that its result, if successful, should be communicated in season to be acted upon at the next session of the Senate of the Unit-

It will be understood that the treaty which you are authorized to negotiate will extend only to objects of commerce and navigation, and must, in no respect, interfere with the neutral obligations of the United States, or with any of their existing treaties with other nations.

Mr. Edward Wyer, the bearer of this communication, is authorized to act as your Secretary, and, in the event of the negotiation of a treaty, will be a suitable messenger to bring it to the United States.

As the success of this measure may depend upon the secrecy with which it will be managed, you will use every proper precaution for observing it.

I am, sir,

With respectful consideration,

JOHN QUINCY ADAMS.

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[SECRET.]

*Mr. Adams to Mr. Wyer.*

WASHINGTON, July 24, 1828.

SIR: You are hereby appointed an agent to proceed as a bearer of despatches to Captain William M. Crane, commander of the squadron of the United States, in the Mediterranean. You will receive his directions with regard to any further services to be performed by you; and will return to the United States whenever the service assigned to you by him shall be performed, or when he shall deem it expedient. Your compensation will be at the rate of two thousand dollars a year from this day till your return to the United States, or till you receive notice from Captain Crane, or from the President of the United States, or from the Department of State, that your services will no longer be required. The expenses of your subsistence, whether on your passage, or on board the squadron, or on shore, to be at your own charge.

You will, on receiving the despatches of which you are to be the bearer, repair immediately to New York, and embark in the United States ship Fairfield, Master Commandant Parker, who will receive directions from the Navy Department to give you a passage in the vessel. It is desirable that you should embark with as little notice from any quarter as possible, even of your most particular friends.

You will receive from the Secretary of the Navy one thousand dollars in advance on account of your compensation and expenses.

With respectful consideration,

JOHN QUINCY ADAMS.

EDWARD WYER.

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[SECRET AND CONFIDENTIAL.]

*Mr. Adams to Mr. Southard.*

WASHINGTON, 23d July, 1828.

SIR: A sum of twenty thousand dollars from the contingent expenses of foreign intercourse will be placed at your disposal, as a fund to be remitted to the Navy Agent of the United States at Gibraltar, and you will, by a se-

cret instruction to Captain William M. Crane, commander of the squadron of the U. S. in the Mediterranean, authorize him to draw upon the said agent to an amount not exceeding that sum in the performance of services, and to defray the necessary expenses incurred under the authority of my letter to him dated the 22d instant. You will direct him to keep an exact and separate *secret* account of all his expenses under this authority, and to transmit the same in duplicates to the President of the United States, under a blank cover addressed to the Secretary of the Navy, and you will, yourself, keep a secret separate account of this fund, and of all the expenditures under it, to be settled under my certificate at the Treasury.

I have further to request you to give secret instructions to Captain Parker of the United States' ship *Fairfield*, to receive on board of the ship, as a passenger, Edward Wyer, bearer of despatches to the Commander of the United States' squadron in the Mediterranean. The expenses of Mr. Wyer's subsistence on board to be at his own charge.

You will please to furnish me, from time to time, with copies of all your instructions and other papers from the Navy Department relating to this subject.

With respectful consideration,

JOHN QUINCY ADAMS.

SAMUEL L. SOUTHARD, *Secretary of the Navy.*

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[SECRET AND CONFIDENTIAL.]

*Mr. Adams to Capt. Crane and Mr. Offley.*

WASHINGTON, 24th July, 1828.

SIRS: Mr. Edward Wyer is placed under the directions and orders of Captain Crane, with a view to his acting as your Secretary in the negotiation with which you are charged, in which event he will, of course, be under your joint direction; or, severally, of either of you, as circumstances may require. His compensation is at the rate of two thousand dollars a year, to commence this day. A copy of his authority is herewith enclosed for your information. Captain Crane will, from the funds placed at his disposal, make payment to Mr. Wyer on account of his compensation, taking his receipts in duplicate, and making deduction of one thousand dollars, which he receives here in advance.

Mr. Navoni having been the medium of communications from the Turkish Government, and having expressed a wish to be employed by the Government of the United States as an interpreter, you will so employ him, or not; as you, in your direction, shall deem advisable.

I should wish that a suitable acknowledgment should be made to him for the voluntary service that he has performed, but how far it may be proper to employ him in confidential trust, is referred to your more advised judgment.

Your friend,

JOHN QUINCY ADAMS.

Captain WILLIAM M. CRANE, and  
DAVID OFFLEY, *Consul U. S., Smyrna.*

[SECRET AND CONFIDENTIAL.]

*Mr. Southard to R. McCall, Esq. Navy Agent at Gibraltar.*NAVY DEPARTMENT,  
23d July, 1828.

SIR: By letter addressed to Captain William M. Crane, of this date, he has been authorized to draw on you for an amount not exceeding twenty thousand dollars—\$20,000.

You will therefore protect and honor his drafts to that amount, without requiring them to be in the usual form of requisitions, or stating specifically the object for which the money is designed. The department will be careful to have a sufficient credit in the hands of the Barings to meet your drafts for the amount, and you will draw either on the department or the Barings, whichever you may find at the time is advantageous. You will keep an exact and separate *secret* account of the drafts made by Captain Crane, and of the expenses to which you may be subjected by them, and transmit the same, in duplicate, addressed to the Secretary of the Navy.

You will be careful that your accounts, and all your transactions, in relation to this sum of money, be kept secret.

I am, very respectfully, &c.

SAM'L. L. SOUTHARD.

RICHARD MCCALL, Esq.  
*U. S. Navy Agent, Gibraltar.*

[SECRET AND CONFIDENTIAL.]

*Mr. Southard to Commodore Crane.*NAVY DEPARTMENT,  
23d July, 1828.

SIR: The sum of twenty thousand dollars has been placed in the hands of Richard McCall, Esq, Navy Agent, at Gibraltar, and you are hereby authorized to draw on him to an amount not exceeding that sum, in the performances of services, and to defray the necessary expenses incurred under the authority of the letter of the President of the United States to you, dated the 22d instant. You will keep an exact and separate *secret* account of all your expenses under this authority, and transmit the same in duplicate to the President of the United States, under a blank cover, addressed to the Secretary of the Navy. You will be careful that your authority for drawing this sum of money, and your expenditures and accounts in relation thereto, be kept perfectly secret.

I am, respectfully, &c.

SAM'L. L. SOUTHARD.

Captain WILLIAM M. CRANE,  
*Commanding U. S. Squadron, Mediterranean.*

[SECRET AND CONFIDENTIAL.]

*Mr. Southard to Captain Parker.*

NAVY DEPARTMENT,

23d July, 1828.

SIR: You will receive on board the United States' ship *Fairfield*, as a passenger, Edward Wyer, bearer of despatches to the commander of the United States squadron in the Mediterranean. The expenses of Mr. Wyer's subsistence on board, will be at his own charge. You will be careful that as little publicity as possible be given to the fact of Mr. Wyer's going out in your ship. You will lose no time in finding Captain Crane, and reporting to him; thus enabling Mr. Wyer to deliver his despatches as early as possible.

I am, respectfully, &amp;c.

SAM'L. L. SOUTHARD.

Capt. F. A. PARKER,

*Commanding U. S. ship Fairfield, New York.*

DEPARTMENT OF STATE,

Washington, 12th September, 1829.

JAMES BIDDLE, DAVID OFFLEY, and CHARLES RHIND, Esquires.

GENTLEMEN: The President has appointed you commissioners to negotiate a commercial treaty with the Sublime Porte, and I have the honor of transmitting to you a commission, with full power, to that effect.

A commission of the same character was issued, by the late administration, to Captain Crane and Mr. Offley, but they did not succeed in effecting the object in view. An examination of Mr. Offley's report of that negotiation, has inspired the President with a confident hope that another effort may prove more successful; and, by that expectation, together with a strong conviction of the high importance of the subject to the commercial, navigating, and manufacturing interests of the United States, he is induced to revive it.

The trade between the United States and the Turkish dominions, though very limited in its range, and without the security derived from treaty stipulations, is, even under such adverse circumstances, very considerable. The establishment of an equitable and permanent arrangement, by which this trade, with a passage to and from the Black Sea, including the free navigation thereof, were secured, could not fail to be very beneficial to our commerce and navigation generally, and, at the same time, to furnish an extensive and profitable market for our manufactures. The acquisition of those rights is the object of the negotiation which you are authorized to conduct.

The President finds it difficult to believe that the Porte can be indisposed to a just and permanent commercial regulation with a nation like the United States, in whom the Ottoman has never found an enemy, by whose liberal institutions all political and religious discriminations are banished from her intercourse with foreign States; by whose laws, a Mussulman, whether citizen or alien, would be entitled to the same privileges as a Christian, and which, already great and powerful, increases in wealth, population, and con-

sequent strength, with a rapidity that has not its parallel in the world. There is nothing in the relative condition of the two countries, nor in any just view that can be taken of their respective interests, by which we can account for the exclusion of the United States from the navigation of the Bosphorus and the Black Sea, whilst that privilege is allowed to almost all the nations of Europe; and nothing is found in the report of the late negotiation to warrant the belief that other than feelings of great respect and good will are entertained by the Sultan towards this country. It has therefore been conjectured that the circumstance may be justly ascribed to the interference of other nations possessing influence at Constantinople, who might be apprehensive of prejudice to their own interest from our participation in the advantages of the extensive and lucrative commerce of the Black Sea and the Ottoman dominions. An interference of this character would, on the part of either of the nations who now enjoy the privilege in question, be inconsistent with its existing and amicable relations with the United States; and would, it is hoped, yield to such frank and friendly expostulations as the occasion might be deemed to justify. It is, therefore, important, if you should find yourselves embarrassed by intrigues of the description referred to, that you possess yourselves, discreetly, of the best information to be obtained upon the subject, and transmit the same to this department, that the President may be enabled to judge, understandingly, of the measures to be taken in relation to it. Great advantage, it is believed, might also be derived from endeavors, through respectful representations to its public functionaries, towards making the Sublime Porte sensible how much it was due to its own character in the estimation of the world, that all grounds for suspecting it of subserviency to foreign dictation should be removed.

From an attentive consideration of Mr. Offley's report, it appears that, when the late negotiation was suspended, the Sublime Porte was willing to conclude an arrangement by which the United States should be admitted to the navigation of the Black Sea upon the same terms as other nations, and allowed the same commercial privileges in the Turkish ports, upon the payment, by our vessels, of an import duty of, nominally, five per centum, whilst other powers paid only three per centum: the same being, however, so arranged, that the United States would actually pay only one-half per centum more than is now paid by other foreign nations. This was declined by Mr. Offley, with the approbation of his colleague. It is believed that the point made by the Sublime Porte does not present an insuperable obstacle to the successful termination of a new negotiation; but that, should it happily be found in an equally favorable disposition, and in a situation to act freely in the matter, this impediment may, with zeal and discretion, on your part, be satisfactorily overcome. In making this observation, I must not be understood as reflecting on the conduct of Mr. Offley in the discharge of his delicate and difficult duties. Mr. Offley, it appears, understood his instructions to restrict him to an arrangement by which the commerce of the United States was to be placed strictly upon the footing of the most favored nation; and sincerely entertaining that view of them, he cannot be blamed for not agreeing to one which certainly was not in its form, nor precisely in its substance, of that character.

The President is the more desirous that there should be no misapprehension upon this point, from finding how much the trade between the United States and Turkey has been benefited by the zealous attention of Mr. Offley

to the duties of his office, and frequently by efforts which, if they did not flow entirely from his own impulses, were required only by an enlarged and patriotic view of his official duties. It is doubtless an established general principle of this Government, and one not likely to be departed from, either in form or substance, to require that its commercial treaties shall contain a stipulation that the United States be placed on the footing of the most favored nation. This principle grows out of our sincere solicitude for the freedom of trade, and is founded upon the presumption that, in the commercial privileges which we are willing to concede to all nations who will reciprocate them, we offer a fair equivalent for any that can be granted to us; and that it would, therefore, neither comport with the interests nor the dignity of the United States to accept less. It is nevertheless true that this principle has never been recognized nor acted upon, by the Sublime Porte in their negotiations with other powers. Assuming that, in their situation, the advantages of reciprocity are altogether illusory, regarding the privileges they grant as concessions proceeding from their free will and pleasure, originating in motives of friendship, or founded upon specific considerations which distinguish them from reciprocal arrangements, they have claimed and exercised the right of making such discriminations as were agreeable to the sovereign power of the State. There have also, at all times, been means used in negotiating with the Porte, different from those usual among Christian nations. Most, if not all, of those who have formed treaties with it, have, at some time or other, submitted to an inequality of privileges; and if there be any case in which a punctilious conformity with their general principle may justifiably be departed from, on the part of the United States, it would seem to be the present. It is believed that an arrangement securing the objects in view, upon terms, though not precisely so favorable as those which may have been granted to others, yet neither materially affecting the privileges obtained, nor be disparaging to our national credit, would be satisfactory to the Government, and highly acceptable to its constituents.

If the claims of the Porte for an increase of duty upon our vessels had proceeded from want of equal respect for the United States, or a disposition to keep the condition of their commerce in the Turkish ports permanently upon a footing inferior to that of other nations, it would present a question of a very different character. But such evidently was not the case. Previously to the treaty with France in 1740, the duties paid to the Porte were five *per centum*. By that treaty, which contains, throughout, indications of particular friendship and favor towards the French monarch for services admitted to have been rendered by him, the duty on French vessels was reduced to three *per centum*; and the French were, moreover, exempted from specific duties, which were directed to be exacted of the English and other nations the same rate of duties, viz. three *per centum* has subsequently been extended to other nations, including the United States, in the limited trade which has been tolerated with them. The stipulation with France, by which the present rate of duty is regulated, expires in about one year; and it is the avowed desire of the Porte to raise it again to five *per centum* for all nations, as soon as they are at liberty to do so. They also avow their motive in requiring us to pay five *per centum*, to be to aid them in obtaining the same rate from other nations.

Their present duties are allowed to be very low, and it does not appear to the President that their object in this respect, can, in justice, be regarded as very unreasonable. He is, therefore, disposed to acquiesce in these views of

the Porte, if they prove to be sincere; and if he can, thereby, without assenting to any act that would affect our national credit, secure to the United States the important interests under consideration. This, he thinks, might be effected by a treaty, providing that our vessels should pay five *per centum*, or any other reasonable amount, either in the face of the treaty, or in a secret article, that, after a certain period, viz. the time limited by the treaty with France, (assuming that it is about the period stated,) the United States shall be placed on the footing of the most favored nation.

This proposition will test the sincerity of the sentiments which have been expressed by the Sublime Porte, and enable them, if sincere, to effect their avowed object without injustice to the United States.

You will, of course, first endeavor to make a treaty upon the general footing of the most favored nation; but, in the event of your finding the dispositions of the Porte unchanged upon that point, you are authorized to agree to one of the character above stated. Should you, from any cause, be unable to conclude a satisfactory arrangement in relation to our commerce with the Sublime Porte, you are authorized and instructed to consent to postpone that branch of the business to a more auspicious period, and to negotiate for the privilege of a passage to and from the Black Sea, and its navigation, upon the most favorable terms that have been granted to other foreign nations. Should you succeed in the negotiation of a commercial treaty, you will not fail to have every article inserted which shall be necessary to ensure protection to the persons, property, and commercial pursuits of American citizens in the Turkish dominions. I send you, herewith, a copy, believed to be authentic, of the capitulation with France, of 1740, and also of the treaty with Spain, of 1827, which, together with such of a modern date as it may be in the power of Mr. Offley to obtain, will furnish you with the stipulations which have been entered into with other nations. You will, in that event, be particularly careful, also, to preclude all ground for future misunderstanding, arising from incorrect translation from or into the language used by the Porte, in their diplomatic acts—a source from which, it is understood, that difficulties have heretofore sprung.

The President directs that the instructions furnished by his predecessor to Messrs. Crane and Offley, enjoining upon them that the treaty which they were authorized to negotiate, should extend only to objects of commerce and navigation, and should, in no event, interfere in the neutral obligations of the United States, or with any of their existing treaties with other powers, be strictly observed by you. There are reasons of the most cogent nature, arising from the apprehended interference of other powers, and the notoriety which has been given to Mr. Offley's agency in the late negotiation, which would, in the opinion of the President, render it expedient that neither Commodore Biddle nor Mr. Offley should appear at Constantinople until the negotiation has been, through the instrumentality of Mr. Rhind, so far brought to a conclusion, as to remove all ground for apprehension from that source, and to require their presence for the consummation of the business. It is, therefore, the wish of the President that this course should be observed, as he places entire confidence in the intelligence, prudence, and capacity of Mr. Rhind. But as this opinion is formed only upon the information possessed by the Department of State, as that may be defective, and as the state of things may have changed materially since it was acquired, this branch of the subject is submitted entirely to your discretion. If, from a view of the circumstances, as they are presented to you on the spot, you

shall all be of the opinion that Mr. Offley's presence at Constantinople is indispensable, or even highly expedient, you will act accordingly. It is not anticipated that any objection will be made, on the part of the Sublime Porte, on account of your diplomatic rank. In adopting this course, instead of sending an envoy or envoys extraordinary and plenipotentiary to conduct the negotiation, the President acts in conformity with the wish which he understands to have been, upon more than one occasion, expressed by the Sublime Porte, to the agents of the United States. In the event of the conclusion of a treaty, for the necessary disbursements connected with it, including the presents usual and indispensable, an authority is herewith given to Commodore Biddle to draw upon the Navy Agent at Gibraltar. The most exact economy is enjoined in the expenditure of this money, taking care that so much of it only is used, as, in the exercise of a sound discretion, you shall think indispensably necessary to the object in view. Your compensation for this service, in addition to the payment of your expenses, will be such as Congress, by a future appropriation, may sanction. It can scarcely be necessary to enjoin the most scrupulous secrecy in all your movements. Its expediency cannot fail to be obvious to you, and I therefore count with confidence on its observance. Although the commission is several as well as joint, it is the wish of the President that any arrangement which may be made, shall receive the sanction of at least of two of you.

I am, &c.

MARTIN VAN BUREN.

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*Mr. Offley to the President.*

SMYRNA, August 9, 1829.

SIR: Since I had the honor to address you on the 26th March last, nothing particularly interesting has transpired relative to the subject of that communication. Our merchant vessels continue to trade to Constantinople, where they are received in a friendly manner. I have, on several occasions, received, through Mr. Navoni, our drogoman at that place, friendly messages from the Reis Effendi, which possibly might have led the way to the renewal of the negotiations with him, had it appeared expedient, and which he professes to regard as suspended, but by no means as broken off, appealing to their continued friendly treatment of our commerce in proof thereof. The negotiations now carrying on at Constantinople with France, England, and Russia, are of such immediate importance to the Porte, that this moment is not favorable for pursuing ours. Immediately after the termination of the present war with Russia, will be a favorable moment for obtaining from the Porte all concessions necessary for the interests of our commerce.

In the instructions your excellency did me the honor to furnish me, allusion is made to the negotiation being terminated without delay. As that has taken place, I wish much to be instructed whether it is your wish that I should renew the negotiations at such times as may promise a favorable issue, and whether, in the event of a Russian ambassador being resident at Constantinople, it will meet your views that I should avail of his friendly offices in any negotiation with the Porte? Your excellency, no doubt, is aware, that, in the treaty of Ackerman, it is stipulated that the Porte shall

accept of the mediation of Russia in obtaining for such powers as have not already the right, the passage to the Black Sea, the object of greatest inducement for us, in my opinion, to negotiate with the Porte, and one in which Russia is equally interested with ourselves.

The negotiations during the last month at Schumla were of short duration, nor is it understood there that the French and English ambassadors have been more successful. In the mean time, the Russian armies continue to advance, and are said to have passed the Balkan mountains. On the 25th ultimo, the Russian general Baron Hoeffling passed through here on his way to Constantinople, said to be bearer of propositions of peace from the Emperor of Russia, to be made personally to the Sultan.

I have the honor to be, with great respect and consideration, your excellency's most obedient servant,

DAVID OFFLEY.

To his Exc'y the PRESIDENT of the U. States, Washington.

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ANDREW JACKSON, *President of the United States of America, to all to whom these presents shall come, greeting:*

Know ye, that, reposing special trust and confidence in the integrity, prudence, and abilities of James Biddle, a Captain in the Navy of the United States, commanding their squadron in the Mediterranean, of David Offley, Consul of the United States at Smyrna, and of Charles Rhind, a citizen of the United States, I have appointed them, and each of them, jointly and severally, commissioners of the United States of America, for them and in their names, to confer, treat, and negotiate with the Sublime Porte, or with any person or persons duly authorized in its behalf, of and concerning all matters of navigation and commerce between the United States and the Turkish dominions, with full power to conclude and sign a treaty thereupon, or to give their assent to a capitulation therefor, transmitting the same to the President of the United States for his final ratification, by and with the advice and consent of the Senate.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed. Witness my hand, at the city of Washington, this 12th day of September, in the year of our Lord 1829, and of the independence of the United States the 54th.

[L. s.]

By the President:

M. VAN BUREN, *Sec'y of State.*

ANDREW JACKSON.

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[SECRET AND CONFIDENTIAL.]

WASHINGTON, *Sept. 12, 1829.*

SIR: A sum of twenty thousand dollars, from the contingent fund for foreign intercourse, will be placed at your disposal, to be remitted to the Navy Agent of the United States at Gibraltar, for an amount not exceeding that sum.

You will, by a secret instruction to Captain James Biddle, commander of the United States' squadron in the Mediterranean, authorize him to draw upon the said agent to defray the necessary expenses incurred under the letter addressed to him under date of the 12th inst. by the Secretary of State. You will direct him to keep an exact *secret* account of all his expenses under that authority, and to transmit the same, in duplicates, to the President of the United States, under a blank cover, addressed to the Secretary of the Navy; and you will yourself keep a secret and separate account of this fund, and of all expenditures under it, to be settled under my certificate at the Treasury. You will please to furnish me, from time to time, with copies of all the instructions and other papers from the Navy Department relating to this subject.

I am, respectfully, your obedient servant,

ANDREW JACKSON.

JOHN BRANCH, Esq.

*Secretary of the Navy.*

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[SECRET AND CONFIDENTIAL.]

NAVY DEPARTMENT, *September 12, 1829.*

SIR: By a letter of this date, Richard McCall, United States' Navy Agent at Gibraltar, is instructed to honor your drafts to the amount of \$20,000 over and above any sums which may have heretofore been subjected to your disposal.

The sum of \$20,000 is placed to your credit for the purpose mentioned in a letter of this date, addressed to you by the Secretary of State.

Should the accomplishment of the objects committed by the President to yourself, Mr. Offley and Mr. Rhind, call for the expenditure of any portion of this sum, you will please give to your drafts the ordinary shape, making no difference between them and those drawn in the usual course of the service. When they shall have reached the Treasury, they will then be charged to the proper account.

You will keep an exact and secret account of all your expenses under this authority, and transmit the same in duplicates to the President of the United States, under a blank cover addressed to the Secretary of the Navy. You will be careful that your authority for drawing this sum, and your expenditures and accounts in relation thereto, be kept perfectly secret.

I am, &c.,

JOHN BRANCH.

Captain JAMES BIDDLE, *Commanding the*

*United States' squadron in the Mediterranean.*

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[SECRET AND CONFIDENTIAL.]

NAVY DEPARTMENT, *September 12, 1829.*

SIR: By a letter of this date addressed to Captain James Biddle, he has been authorized to draw on you for an amount not exceeding twenty thousand dollars, over and above the sums heretofore subjected to his disposal.

To this additional amount, you will therefore protect and honor his drafts, without requiring them to be in the usual form of requisitions, or to state specifically the object for which the money is designed.

Your own drafts in relation to this sum, will be either on this department or on the Barings, which ever you may, at the time, find advantageous. You will keep an exact and separate *secret* account of the drafts made by Captain Biddle, and of the expenses to which you may be subjected by them, and transmit the same in duplicates addressed to the Secretary of the Navy. You will be careful that your accounts, and all your transactions in relation to this subject, be kept secret.

I am, &c.,

JOHN BRANCH.

RICHARD W. McCALL, Esq.  
*United States' Navy Agent, Gibraltar.*

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DEPARTMENT OF STATE,

*Washington, September 12, 1830.*

SIR: From the commission and letter of instructions of this date, addressed to yourself, Mr. David Offley, and Mr. Charles Rhind, which will be communicated to you by the latter, you will perceive that the President has determined on renewing the negotiation commenced under the late administration, by Mr. Offley and Captain Crane, which had for object the formation of a commercial treaty between the United States and the Sublime Porte, and the admission of our flag to the freedom of the Black Sea.

His confidence in your patriotism, abilities, and discretion, has induced him to commit this trust to you, jointly with the abovementioned gentlemen; and every proper precaution is expected of you for keeping the whole transaction as secret as possible. Your despatches on the subject, addressed to the President of the United States, will be sent, under cover, to the Secretary of the Navy. A letter of credit to the amount of twenty thousand dollars is, herewith, furnished you from the Secretary of the Navy, upon the Navy Agent at Gibraltar. As appears from the letter of instructions above referred to, this sum is placed at your disposal for the sole purpose of meeting such expenses as may be requisite to the fulfilment of the business committed to you. You will regularly advise the President of every draft made on this credit, and furnish him with an exact account of the expenditures made under this authority, certified by yourself, and supported by such vouchers as may, without risk of exposure, be obtained.

As is also stated in the general letter of instructions, your compensation for this service, in addition to the payments of your expenses, will be such as Congress may, by a future appropriation, sanction.

I am, &c.,

M. VAN BUREN.

Captain JAMES BIDDLE,  
*Commanding the U. S. Squadron, Mediterranean.*

## DEPARTMENT OF STATE,

*Washington, 29th September, 1829.*

SIR: Your letter has been submitted to the President. Upon a careful review of the whole ground, he is of opinion that the addition to the powers of the commissioners, suggested by your letter, could not with safety be made.

If so total a change of the present condition of things should take place as would render your present powers inoperative, a special messenger may be sent with such as shall be adapted to the existing state of affairs.

It is, therefore, the wish of the President that you should proceed in your mission as soon as your convenience will admit of it.

With respect, your obedient servant,

M. VAN BUREN.

CHARLES RHIND, Esq.

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*Mr. Rhind to the President.*

CONSTANTINOPLE, *May 10, 1830.*

ANDREW JACKSON,

*President of the United States.*

I have the honor to communicate to your excellency, that, immediately after the receipt of the instructions from the Hon. Mr. Van Buren, under date of the 14th September, 1829, I made such arrangements as would conceal my departure from the United States, and took passage in the first vessel that sailed for Gibraltar, embarking in the middle of the night, without taking leave of my family, my sons only being aware of my business. After a boisterous passage of forty days, I arrived at Gibraltar, and finding the United States' ship Ontario at anchor there, I presented to Captain Stevens the letter from the Hon. Mr. Branch. He immediately got under way, and used every exertion to reach Mahon, which we did in the short space of sixty-eight hours.

On acquainting Commodore Biddle with the object in view, and presenting to him the commission and instructions, he made such arrangements as would insure secrecy respecting our destination, and, with incredible promptitude got his vessel (the Java frigate) ready for sea. We were abreast of Malta before even a suspicion was entertained by the officers and crew that we were bound to Turkey. On the 26th December, the frigate came to anchor a few miles below the castle of Smyrna. Commodore Biddle and myself were congratulating ourselves on having so completely fulfilled the wishes of your excellency, for I had reached Turkey without its being suspected that I had left the United States; and it was not known to the ships below in the Mediterranean that Commodore Biddle was in the Levant. Your excellency may judge of our mortification and surprise when Mr. Offley came on board, and informed us that it was perfectly well known in Smyrna that we were commissioners. In order, however, to divert suspicion, it was determined, *most fortunately*, that I should proceed here alone. I accordingly took passage in the first vessel, but was, unfortunately, thirty-two days in reaching Constantinople. I attempted to come by land,

but found that impracticable, the winter was so severe and the roads impassable.

On reaching this, the 8th of February, I determined to avail myself of my consular character, to aid in concealing the mission. I had an interview with Mr. Glarany, commercial agent of the United States, and Mr. Navoni, American drogoman, and observed to them that, in consequence of my appointment to the consulate of the Black Sea, it became my duty to ascertain, before I proceeded farther, whether our vessels would be allowed to pass the Bosphorous, and asked their opinion in what manner this was to be obtained. They coincided that the best mode of ascertaining this fact would be to apply to the Russian ambassador; but on my remarking that, in all probability, he would give a favorable construction, and if the Turks did otherwise our vessels arriving here would be then placed in a very unpleasant dilemma, and suggested if it would not be better to apply at once to the Reis Effendi. On reflection, they seemed to think this would be decidedly the best course. Having thus secured an ostensible reason for visiting the Porte without suspicion, I next ascertained the character and talents of Mr. Navoni. Finding them satisfactory, I then told him the object of my mission, and that, as there were certainly intrigues attending the last negotiation, I candidly confessed that Government, as well as myself, had some suspicions that he was implicated in them. He was much hurt at this suggestion, but grateful for my candor; and fully satisfied me that he had not only been entirely unconnected with those intrigues, but, on the contrary, had manifested the greatest fidelity and zeal for the interests of our country.

On the 10th of February, I directed Mr. Navoni to wait upon the Reis Effendi, announce my arrival, and solicit an interview. He was received courteously, and his excellency inquired if I was furnished with full powers. Mr. Navoni replied in the affirmative. The Reis Effendi then asked if I was not the person who had been appointed consul for the Black Sea. Mr. Navoni dexterously evaded the question by replying that he was only aware of my holding a patent as commissioner, with full power to conclude a treaty, and that he had seen and read it. His excellency then requested him to come next day, and bring a copy of the power and instructions. Mr. Navoni replied, that, as to the power, he had no doubt I would readily comply with the request, but as to the instructions he could not promise, but next morning would give his excellency a reply. I immediately directed Mr. Navoni to make a copy of the commission, which he did in French and Turkish; and, on the 11th February, waited on the Reis Effendi, showed him the original, and left with him the copies. His excellency inquired whether I had any proposition to make, and observed, that, doubtless, I understood the position in which the affair now rested, observing that he was not disposed to begin a new negotiation, and expressed his desire to see my instructions. Mr. Navoni said he presumed I would decline exhibiting them, but that, in a personal interview, I would doubtless explain them nature. The Reis Effendi then asked Mr. Navoni, confidentially, what he thought they were, and begged him to draw up a *resumen* of them, and give it to him. Mr. Navoni said that, as he was ignorant of their bearing, and they were known to me alone, he could only repeat that, at an interview, I would, no doubt, satisfy him on every point. His excellency said that he was very much occupied at the moment, but would next day appoint a time for an interview.

The Reis Effendi having named the 13th of February for an interview, I

accordingly repaired to his own palace at 11 o'clock, the hour appointed, and found him alone. He received me in a courteous, and apparently friendly manner. After inquiring about my health, how long I had been upon the voyage, &c., I observed that the note which his excellency had addressed to the Government of the United States had been received, and was duly appreciated; and as a desire mutually existed on the part of the President to form friendly relations with the Sublime Porte, he lost no time in sending commissioners to treat with his Imperial Majesty on the subject, and to form a treaty which, whilst it was based on principles comporting with the dignity and character of two great and powerful nations, might secure to the subjects and citizens of each confidence and protection in their commercial affairs, and bind together, in social relations, two great and powerful nations. His excellency replied that these sentiments were reciprocally entertained by the Porte. I then remarked, that the President saw with regret that the late negotiation terminated in a manner neither comporting with his expectations, nor (as he flatters himself) with the sentiments of his Imperial Majesty or that of his excellency; and believing that some untoward circumstances, not now understood, had tended to protract the connexion so much desired by both parties, and having full confidence in the sincerity of his excellency in giving the invitation alluded to, the President at once gives a proof of his high regard for his Imperial Majesty the Sultan, and his confidence in the sincerity of the invitation given, by nominating a new commission, composed of the commander-in-chief of the American naval forces in the Mediterranean, Mr. Offley, American consul for Turkey, and myself, one of the oldest American merchants trading to the Levant. That, desirous of avoiding the obloquy of a failure in this negotiation, I had been sent hither alone to form the basis of a treaty which, if acceded to by his excellency, and if a firman was granted, my colleagues would immediately proceed here in the frigate which bears the broad pendant of the United States, and conclude the treaty. I assured his excellency it would afford me, personally, great pleasure to find that he was animated by sentiments similar to those which govern the nation I had the honor to represent; and I took occasion to signify, that, whilst we are disposed to accede to arrangements similar to those made with other powers, and while willing to comport with the courtesies which mark the intercourse of other nations, on no occasion would we depart from those principles of honor and independence which ought to characterize every nation which takes its place among the members of the human family; and, with that frankness which distinguishes the American character, I now appeared before him ready to conclude a treaty of amity and commerce on terms comporting with the dignity of two such powerful and distinguished nations as the Sublime Porte and the United States of America.

I observed, that, if the invitation given was sincere, (of which the President had no doubt) the business might be soon concluded; but, as we are a people who act as we profess, and confirm those acts with fealty and honor, I hoped to experience from his excellency a prompt and decided answer to the question, whether this treaty is to be concluded or not, observing that I was now here ready to close with him on terms based upon principles of mutual reciprocity; and, if this offer was rejected, the President of the United States would adopt such measures as may seem to him best calculated, under the circumstances of the case; but I took occasion to apprize his excellency that, whilst we now appear here, in full faith and sincerity, in compliance

with his invitation, the President would not conceive it to be comporting with the dignity of the Ottoman Porte to treat slightly this proof of the confidence he has reposed in the invitation sent by his excellency on the part of his Imperial Majesty. I therefore indulged the hope that he would at once express the ideas of his Majesty, so that I might convey them forthwith to America by one of our national vessels, now waiting at Smyrna for the purpose of announcing to the President of the United States the result of our present interview.

His excellency said that, doubtless, I was aware of what had passed in the former negotiation, and the position in which affairs now stood; that he was not disposed to commence the negotiation anew, but would take it up where it last rested. He expressed himself pleased that I was here, and thus empowered, and said the affair would be soon terminated; and he was willing to close the treaty if we would agree to pay five per cent. on the tariff, as formerly arranged. To this I replied we had no objections, provided he would agree to a separate and private article, in which it should be stipulated, that, when the existing treaties with other powers (now about to expire) were renewed, we should then be put on the same footing with other nations. He admitted that this was a fair proposition, but, after a good deal of discussion, he wished to adhere in having this stipulated in the treaty alone, because it was the only advantage the Porte could desire, and that other nations had invariably made concessions of some kind. That he was aware of the *astrigent* character of our nation, consequently, expected I would consent that some advantages should be derived by the Porte, and that *this* in fact was the only one they could require.

To this I replied that I thought it strange he should make demands upon our country which were not exacted from other nations. That he must be aware we were a great and powerful nation, considering ourselves second to none on earth; that we had treaties of amity and commerce with all the nations of Europe, Turkey excepted; and that, although the President of the United States was desirous of forming a treaty of friendship and commerce, yet it was by invitation of the Sublime Porte I now appeared before his excellency; that the President, regretting the suspension of the former negotiation, had given a fresh proof of his friendly feeling towards his Imperial Majesty the Sultan, and his confidence in the sincerity of his excellency, by nominating commissioners anew; and that I indulged a hope that he would duly appreciate this friendly conduct on the part of the President. His excellency replied that he fully appreciated the motives of the President, and assured me that they were reciprocated on the part of the Sublime Porte, but that it was requisite that some ostensible advantages should appear on the face of the treaty. I replied that the commerce of the United States with the dominions of his Imperial Majesty was already very considerable, and that doubtless it would be vastly increased after a treaty was signed; consequently, the Porte would derive great advantages by the increase of revenue from the impost duty; and that greater activity would be given to the demand for the products of Turkey, both of which I conceived to be objects of no small importance. His excellency said that these advantages could be derived through other nations, and he could not view them in the light I did. I stated to him that I was one of the first American merchants who commenced commerce with the Levant; and that, in my early adventures to this quarter, the price of coffee (an article of such essential importance in this country) was about 40 cents per pound, and now it was only

about a fourth part of that price, and this reduction was caused entirely by the effects of the American commerce; and that, moreover, the demand for the produce of Turkey had been greatly increased, and the price consequently enhanced; and that even *now*, in one article, *opium*, (an article of such vast importance,) we annually purchased from one-half to two-thirds of the crop. His excellency then said that he saw no difficulty, and that the affair would be forthwith decided; but (says he) "*we are just now like a ship on the stocks ready to be launched into her proper element, requiring, however, some impelling power to send her into the water!!!!*"

I replied, his excellency must be aware that, by the nature and principles of our Government, we neither paid nor received any thing on making treaties with any power whatever, but were willing to close a treaty with the Sublime Porte on such terms as would be equally honorable to both nations; and I mentioned the advantages the Porte would derive by having so powerful and disinterested a friend as the United States, whose distant situation and whose principles were opposed to the chicanery and diplomatic intrigues so generally practised in Europe. That we were a people open, candid, and sincere, in all our relations with foreign powers, and only desired to be on friendly terms, and have commercial intercourse with all the nations of the earth, our character being purely commercial; and we flattered ourselves that we were distinguished for good faith.

His excellency said that he felt desirous to close the affair at once, but as he did not like to have a private article in the treaty, for, by communicating it to the other powers, he must be guilty of a *lie*, proposed fixing the tariff at 4 per cent. I told him that, as to the tariff, he might make it 10 per cent. if he pleased, provided he put us on the footing of other nations; and that, as to the secret article, his excellency must be aware that such arrangements were universally adopted by the powers of Europe in their diplomatic acts; consequently, the Porte would be only acting as had often been done before.

His excellency pressed this subject, and I enforced my arguments, declining to take a treaty without this stipulation: he paid a compliment to my conduct, said that he would report thereon, and that I should hear from him in a few days. I begged his excellency not to suppose that I wished to press him on the subject, but stated the fact that, as Congress adjourns in April, and could not assemble again for the greater part of a year, and as the President would naturally be desirous of communicating to Congress the result of this negotiation, the Commodore had a sloop of war ready at Smyrna to proceed with all possible despatch to America; and that even now it would require the utmost vigilance to reach it before that period. Moreover, that I had lost a month in my passage from Smyrna, and I entreated, therefore, that his excellency would, as speedily as possible, give me a definitive reply. He said that, in the course of two or three days, I should hear from him. I then asked his excellency in what light he viewed our intercourse with the Black Sea? He replied that, of course, that matter would be embraced in the treaty; but an arrangement must be made on that point, and that he expected *I would comply with the terms offered to Mr. Osley*. I expressed my astonishment at the suggestion of such an idea, and asked him why he could think of making a distinction between the United States and other nations, more particularly as affairs had materially changed their aspect since that period, and, by the late treaty of Adrianople, it was stipulated that the navigation of that sea should be open and free to all nations.

His excellency avoided a direct reply on this head, but said that the hour was arrived when he had an engagement, but that he hoped there would be no difficulty in the arrangement, and I should hear from him in 2 or 3 days. I then took leave. The conference lasted upwards of two hours. Immediately on my return home, I addressed a note to Count Orloff, (having learnt that Mr. Ribeaupierre was at Buyukdere, on the Bosphorus,) announcing my desire to pay my personal respects to his excellency. He appointed the following day, and received me with distinguished frankness and friendship. On learning from him that he had been apprized by Mr. Middleton, and also by his Government, of the appointment of commissioners, I communicated to him the whole circumstances, and the interview I had with the Reis Effendi, and the singular demand his excellency had made respecting the passage to the Black Sea. Although Count Orloff was surprised at this, considering that he had fully expressed his meaning on that point when he negotiated the treaty of Adrianople, yet that *man* (he said) was in the habit of making strange demands, and only the other day asked him to restore *the Crimea* to the Porte. His excellency, however, had no doubt that the Reis Effendi would eventually arrange a treaty on satisfactory terms; but, if not, assured me that Mr. Ribeaupierre and himself would interfere. Naples, Spain, and Denmark, had, in the year 1827, respectively made treaties with the Porte, stipulating to pay certain sums on the passage of each vessel to the Black Sea; and the ministers of those powers, conceiving that, by the treaty of Adrianople, they were *exonerated* from the payment of dues, applied to the Porte to have their treaties altered so as to comply with the article in the treaty of Adrianople. The Porte replied that those were solemn stipulations in treaties long since made, and that the treaty of Adrianople could not be so construed as to have a retrospective effect.

On the 16th of February, *Pertive*, Reis Effendi, was deposed.

Mr. Ribeaupierre having arrived at Pera, I had an interview with him. He received me with great kindness, and assured me that I might rely upon the utmost aid of the Russian legation; that he was aware the subject was equally interesting to both nations; and that every thing I could require would be done on their part to aid our views. He however observed that although the treaty of Adrianople opened the Black Sea to all nations in *amity* with the Porte, yet as we had no treaty, and did not literally come within the scope of that article, it would be necessary to have a treaty before we could exact the privilege, and he recommended me to endeavor to obtain one. I intimated to his excellency the desire I had to conclude a treaty, in order that I might embrace in it an article securing to us the navigation of the Black Sea, observing that, from the nature of the late peace with Turkey, and the very deranged state of the diplomatic affairs of Europe generally, it could hardly be expected much time would elapse before fresh troubles would arise, in which case we, who possess so extensive a commercial marine, and adequate power to protect it, and distant as we are from the broils of the European powers, and eager also to preserve a neutral character with all the advantages, would be equally invaluable to Russia and ourselves, should circumstances occur to place us in the attitude alluded to, and our flag become the neutral carriers of the Black Sea. His excellency saw the force of this argument, expressed his hopes that I would succeed, and repeated the assurance that he would be ready to afford me every assistance whenever I required it.

On the 17th February, I learned that Hamed Bey had been appointed

Reis Effendi. This gentleman has always expressed a favorable feeling towards the United States; which was not the case with his predecessor.

The *Chargé* of Naples having inquired of the Reis Effendi, if, in consequence of the treaty of Adrianople, the Porte would make some modifications in regard to the navigation of the Black Sea, his excellency replied in the negative. The *Chargé* then addressed an official note to M. Ribeaupierre, requesting his aid in obtaining permission for Neapolitan vessels to be exempt from dues on passing the Black Sea. M. Ribeaupierre complied, and, in an official note to the Reis Effendi, made known the interest Russia took in this affair. The Reis Effendi replied, likewise, in an official note, and expressed the surprise of the Porte at his demanding such a substitution under the treaty of Adrianople, observing that the said treaty had been complied with, and the Porte saw no reason why the conventions with Naples, Spain, and Denmark, should be changed.

Notwithstanding the proclamation of the Emperor of Russia, and the construction generally given to the 7th article of the treaty of Adrianople, it is now ascertained that the Turks construed it differently, and that the Black Sea is only open to such nations as have treaty stipulations with the Porte. Ever since I first saw that treaty, I have been afraid the Turks would give it this construction, and the present circumstances prove how timely and judicious it was in your excellency to nominate the commission at the period you did. On the 24th February, the Reis Effendi arrived from Adrianople, and I directed Mr. Navoni to wait upon him, and tender my congratulations on his accession to office, and to solicit an interview. His excellency received Mr. Navoni with great cordiality, and assured him that, as soon as he entered upon the business of his department, he would attend to our affair. On Mr. Navoni's pressing him not to postpone the business under the usual pretext that no negotiations could be carried on during *Ramazan*, (which was just commenced,) and then until after *Bairam*, his excellency agreed that, during the night, (for the Turks do no business during the day at this period) we might come and see him. He sent me his respects, and begged Mr. Navoni to assure me that he was desirous of making my acquaintance, and to finish the business.

On the 28th February Mr. Navoni again waited on the Reis Effendi, and delivered to him a copy of the commission in the Turkish language. His excellency then asked him to narrate what had passed with his predecessor, which Mr. N. did. The Reis Effendi then inquired if any official answer had been given after the interview, to which he replied in the negative, observing, however, that the third day thereafter the Reis Effendi had been removed. His excellency then stated that he would apply to the *Camai-cam*, and obtain authority to treat with me, and assured Mr. Navoni that the affair would be soon finished. On the latter urging his excellency to appoint a time for an interview, and observing that it was chiefly for the purpose of paying my personal respects to his excellency, and to show him the commission in the original, the Reis Effendi replied that he would dispense with that, as he was not a man of much ceremony, but the moment he obtained authority he would enter on the business at once.

On the 2d of March, I again sent Mr. Navoni to say that I was very desirous of having an interview. His excellency replied, that we must wait a couple of days more, advising me not to press the business. I had been informed that the demand of the Russian legation to open the Black

Sea to the Neapolitans and others, couched in pretty high language, and that the subject was then before the Divan, and the members of which were in no very good humor in consequence, and I presumed this was the reason the Reis Effendi wished me not to press the business at this moment. Mr. Navoni, however, mentioned to his excellency that as my colleagues were still at Smyrna, I was exceedingly anxious to have an interview in order to convey information to them. The Reis Effendi then nominated Beylikgi Effendi (chancellor of state) to treat with him, and that the former could report to his excellency the result of the conversation.

It was not until the 6th March, when Mr. N. had an interview with his excellency Beylikgi. Mr. N. commenced the conversation by remarking that he was aware his excellency was perfectly acquainted with all the circumstances attending not only the present, but the former negotiations; that is to say, of Mr. Bradish and Mr. Oflley. His excellency said, that, as to the first, the Ottoman empire was, at that time, in a very deranged state, and had at the moment matters of more pressing importance to attend to than that of undertaking a new negotiation; and if, at that time, they were were afraid of displeasing the \* \* \* \*, it was excusable, but he confessed he felt mortified that the negotiation of last year was not finished; *first*, because the motives which governed in a former instance did not then exist; and, *secondly*, the Turkish Government had given a formal invitation to the United States, saying that the time was favorable to conclude a treaty which, for a long time, both nations had manifested a desire to accomplish; and his excellency said he could not imagine why the negotiation had proved fruitless, but observed that, without meaning to give offence, he candidly was of opinion that the fault was partly our own. Mr. N. inquired of his excellency in what manner it could appear to be our fault? Beylikgi said, that, according to the report made by the late Reis Effendi to the Divan, it would appear that the United States wished to have all the advantages on their side, and refused to admit the offers which had been made to the Porte by agents of our Government; and that this was the cause of the failure, was the opinion of the ministers generally.

Mr. N. assured his excellency that this was only a shift of the Reis Effendi to justify himself, and declared that no proposition had ever been made by any agent of the United States, excepting upon principles of perfect reciprocity; and that, since the time Mr. Bradish was here, he had to the present moment acted as interpreter; and that, at the time the last invitation was given to the United States, the Ottoman Porte had an interest in making the \* \* \* \* believe they were about to conclude a treaty with the Americans; and that a year afterwards, when the envoy arrived here, circumstances had changed, but the effect had been produced, and the \* \* \* \*, in their turn, wished to have it believed that they were pleading the cause of the Ottoman Porte with their two allies. So that the Turks placed all their hopes in them, and it was to please \* \* \* \*, that the Reis Effendi placed obstacles to the conclusion of a treaty, by making it appear that the invitation had been in consequence of offers and promises made by agents of our Government to furnish an entire fleet to the Ottoman Porte—a thing totally absurd: that no agent could have made such an offer, and that, if the idea had been suggested to himself when he was requested to apprise the President that the Porte was disposed to conclude a treaty and invite a plenipotentiary, he would have instantly rejected the proposition; and, moreover, when Mr. Oflley pressed the late Reis Effendi to name any agent of the United States who had made such a proposition, he could not, but, being

determined, to place obstacles in the way, he persisted in demanding that we should pay higher duties than those paid by any European nation; which Mr. Offley could not consent to, and from what his excellency now said, it would appear that he had made the ministers believe that the treaty could not be concluded, because the Americans would not fulfil their promises, as if they had actually made any. His excellency said this was precisely the case, but he was astonished how his Government could amuse itself with such a hope, or for what reason the United States could be expected to give such a fleet, and expressed his surprise that the affair was not settled on terms equally advantageous to the two nations, for the greater portion of the ministers of the Divan were favorably inclined towards the United States, but, he said, it would appear that the present Reis Effendi and himself had been *destined* to finish this business; and, notwithstanding that they were at present much occupied by business, the affair shall be finished; and, according to the report of the late Reis Effendi, the greatest, and perhaps only, difference consists in the 5 per cent. duty. We will arrange it easily. Monsieur the commissioner must modify his pretensions, and we will do the same. His excellency requested Mr. N. to convey to me the assurance of his high respect for the American nation; and that, on making my personal acquaintance, he had no doubt he would entertain the same opinion of myself individually. He said he would undertake to fix the 9th of March for an interview with the Reis Effendi, and remarked that he would himself be personally present.

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On the morning of the 9th March, I sent Mr. Navoni to the Porte, to ascertain the hour the Reis Effendi would see me that night. On waiting upon Belikli Effendi to learn the time, instead of that, his excellency observed that he had been occupied in the business, and saw that the only difficulty was about the duties; but as 5 per cent. had already been named, he could not flatter himself to put it aside entirely, but we must endeavor to arrange it in the best possible manner. And as the tariffs of the different nations expired at unequal epochs, and some time would be necessary to form new tariffs, he thought that instead of having a private article to destroy the ostensible one, it would be better to fix a time during which we should pay the 5 per cent. and that he would endeavor to have that period reduced as much as possible, but could not flatter himself it could be done for a less period than three years. He requested Mr. Navoni to make this proposition, and to request me to draw up such a treaty as I required, embracing those principles; assuring him that they were desirous of forming friendly relations with the United States; but, as neither their merchants nor vessels went to America, the only advantages the Porte could derive would be by the duties. He likewise assured Mr. N. that they considered the United States among the first powers.

When Mr. Navoni communicated to me the result of this conference, I determined to put an end at once to this idea of exacting higher duties from us than from other nations; and, accordingly, I gave Mr. N. written instructions "to repair next day to Belikli Effendi and the Reis Effendi, and, on my part, to say that the only reply I could make to the proposition of yesterday was, that I came here, as the representative of a great and powerful nation, to form a treaty with the Sublime Porte, and by their invitation expressed in writing, signifying that they were desirous of finishing a treaty. The President of the United States, in full faith of the sincerity of this invitation, sent me here to form a treaty based upon principles of perfect reciprocity and equity, and comporting with the dignity of two such nations.

The United States would disdain to ask any thing that was not just and honorable; and the President could not indulge a belief that the Sublime Porte would lessen its own dignity by demanding any thing to the contrary. It was, therefore, with surprise and mortification that I find pretensions held out and demands made, which the Sublime Porte has not even pretended to require from the minor powers of Europe. That it now only remained for me to obtain an official expression of their demands, and to convey the same to the President, and that the object of his present visit was to ascertain in what mode they would prefer doing this, and, for reasons with which he was acquainted, it must be done promptly." Mr. Navoni was quite alarmed at this step; he begged and entreated me to refrain, as it was their way of doing business. I told him that we Americans had but one way of acting, prompt, candid, and sincere; and that my official character made it my duty to repel any slight that might be offered against the dignity of my country, and that I could not permit the Porte or any other power to *suggest even* the idea of placing us second to any European power whatever; that my mind was made up, and I should make immediate arrangements for my departure, and if they refused an official confirmation of the demand they had made, I should consider his written report to me, (which I then had) as sufficient. I mentioned to him that, in case they should enter into conversation with him, that the following were the only terms to which I would agree as the basis of a treaty; and I gave it to him in writing, in order that, hereafter, there might be no misunderstanding.

1st. The United States to be received on the same footing in every respect, pay the same duties, and enjoy all the rights and privileges of the most favored nations, particularly France and England.

2d. That, at all times hereafter, the navigation to or from the Black Sea, shall be free and open to American vessels, nor shall they be delayed in passing either to or from it under any pretext whatever.

Mr. Navoni accordingly waited upon Beylikgi Effendi, and read the instructions I had given him. His excellency instantly declared that the proposition made yesterday, was a project of his own, and not a demand of the Porte, and he begged that I would consider it null, and as if it had never happened; that as he had understood something had been said respecting the 5 per cent. without any thing being fixed, and as the duties to be paid would have to be arranged at the expiration of the present treaties, an epoch when those of all the powers will have to be changed, he supposed that, by making the proposition he did yesterday, it would facilitate the understanding; but, since the circumstance had produced so unfortunate an effect, he entreated me to take no notice of it, and said that as this was an affair which must be settled, I should be invited to an interview with the Reis Effendi the following evening.

The Russians not having succeeded in obtaining firmans for the Neapolitan vessels, a simulated sale of them has been made, and they went as Russians. The Porte seems determined to *adhere* to their construction of the 7th article of the treaty of Adrianople.

On the 12th March, I had an interview with Hamed Bey, Reis Effendi, his excellency Beylikgi Effendi, being likewise present. On entering, the Reis Effendi requested me to be seated on the Divan near to him, and, after inquiring about my health, how long I had been on the voyage, &c. I addressed him as follows:

In behalf of the United States of America, and for myself personally, I congratulated his excellency on his accession to office, and begged leave to ex-

press my hope that his excellency would be the means of cementing a friendship between two powerful nations alike distinguished for honor and good faith, and that the circumstance will characterize the administration of his excellency by an event equally memorable in the annals of both countries.

The Reis Effendi replied, that he felt the compliment paid to him, and, in return, assured me of his good feeling towards America. I then addressed Beylikgi Effendi, and expressed my gratification in becoming personally acquainted with him, and the high sense of gratitude I entertained for his friendly feeling towards our country, assuring him that, when they became better acquainted with it and its citizens, they would find more to appreciate in their character. I next addressed the Reis Effendi in the following terms:

On various occasions, a desire has been expressed by officers of his Imperial Majesty, the Sultan, that a treaty might be formed between his Majesty and the United States of America; and, in the year 1827, his excellency the late Reis Effendi sent a written invitation to the President of the United States, intimating a wish, on the part of the Sublime Porte, to form a treaty of amity and commerce between the respective countries. The President of the United States, animated by similar sentiments, immediately nominated commissioners, with full power to close a treaty on terms of perfect reciprocity, and comporting with the dignity of two such great and powerful nations. The President learnt, with regret, that this negotiation closed in a manner neither comporting with his expectations, nor, as he flatters himself, with those of his Imperial Majesty the Sultan; and, although it has been publicly asserted in the journals of a certain European power, that it was by its interference the treaty was not terminated, yet I assured his excellency that the President of the United States believes that the Sublime Porte is too conscious of its own dignity, and how much is due to its character in the estimation of the world, not to remove all ground for suspecting such subserviency to other powers. Desirous, therefore, of at once evincing his high regard for his Imperial Majesty, and his confidence in the sincerity of the invitation alluded to, the President has nominated a new commission, composed of the commander-in-chief of the United States' naval forces in the Mediterranean, David Offley, esquire, American consul for Turkey, and myself, one of the oldest American merchants trading to the Levant. That, in order to ascertain the sentiments of his Imperial Majesty, and to form the basis of a treaty, I had come to Constantinople alone, but that my colleagues were at Smyrna, ready to proceed here, and conclude it. It was, therefore, by virtue of this power, I had now the honor of presenting myself before his excellency, to announce that I was ready to treat with him, and to form a convention based on principles of perfect reciprocity, and such as comport with the character of two great and powerful nations; and which, whilst it would afford to the subjects and citizens of each security and confidence in their commercial transactions, would bind together in friendly relations the Sublime Porte and the United States of America.

I assured his excellency that it would personally afford me great pleasure to find that he was animated by sentiments similar to those which govern the nation I had the honor to represent—a nation now great and powerful, and increasing in wealth, population, and power, in a degree unparalleled in the history of the world; whose laws banish all political and religious discriminations from her intercourse with foreign States; and whose liberal institutions allow a *Mussulman* the same privileges as those enjoyed by a

Christian; and, moreover, that we were a people open, candid, and sincere in all our relations with foreign powers, and, flattered ourselves, were distinguished for good faith. I conceived, therefore, that it would not be considered unimportant for the Sublime Porte to have so powerful and disinterested a friend as the United States of America, whose distant situation and whose principles were opposed to the chicanery and diplomatic intrigue so generally practiced in Europe.

His excellency replied, that there would be no difficulty in the affair, that the subject was now before the *Camaion*, and, in a few days, a favorable reply would be given. He asked me if I meant to remain here some time? I replied in the negative, observing I had other business to attend to, and only awaited their pleasure to finish this affair. His excellency seemed to have entertained the idea that I came here merely to open the business, and that my colleagues would come and finish it; but, on learning that they would not come to Constantinople until I had fixed the basis, he said that in four days I should have a reply. After taking leave of the Reis Effendi, I went to the bureau of his excellency Beylikgi, to pay him a visit, during which he frequently took occasion to express his high opinion of the United States and their citizens.

Before my interview with the Reis Effendi, I had written the address I meant to make on the occasion, and, in order that there might be no mistake made in the oral translation of it to his excellency, I *most fortunately* requested Mr. Navoni to put it in French; and, after I had examined it in that language, caused him to translate it into Turkish, to aid him in delivering what I should say; and, when I addressed the Reis Effendi, Mr. Navoni desiring to impart, correctly, my meaning, *read* from the paper in Turkish what I had orally delivered in French, and when he had finished, his excellency asked him for the paper, and *kept it*.

On the 14th, Mr. Navoni waited upon Beylikgi Effendi, who informed him that the Reis Effendi had sent to the Sultan the written copy of the address I had made, and that they expected the answer of his Majesty on the following day. On the 16th, I learned, from an authentic source, that the Sultan, on reading my address, immediately directed his private Secretary to *write* an order (an unprecedented circumstance) to the Reis Effendi to close with the Americans to their satisfaction. On the 17th, Mr. Navoni waited on the Reis Effendi, who confirmed the fact that he had received the orders of the Sultan, and expressed his own gratification at the circumstance, *begging* that I would send for my colleagues, so that they might be here to sign the treaty during the Biaram, (the Turkish carnival,) assuring me that the business was finished on the basis of the two articles I had sent on the 10th of March. Having thus received the orders of the sovereign, and the word of the Reis Effendi, I considered the business terminated, and the subject was that evening laid before the Divan.

On the 20th March, I learned from good authority, that \* \* \* \* \* had been, for the two preceding days, occupied in intrigues with certain members of the Divan, and that they had recommended them to adhere in demanding the 5 per cent., as the \* \* \* \* were sure that the Americans would pay it. On application the following day to the Reis Effendi for passports for the frigate, he made some difficulty, and observed that my colleagues might come by land, or, if I persisted in having the frigate, her guns must be masked. As the English and French frigates come here with their guns unmasked, I had instructed Mr. Navoni to say that I would

neither consent to my colleagues coming by land, nor in the frigate masked. If they came here at all, they must come as the ministers of the other powers had done, with guns run out, and our national colors at the mast-head. The Reis Effendi said that, as the business was terminated, he would apply to the Sultan for a firman; and that as he had directed Beylikgi Effendi to draw up a treaty, it might be well if I would extend another, that we might compare them.

The day thereafter, I received advice from a *friend*, (high in office,) to close at once, and not let a day pass.

I knew too well the means which this *friend* possessed of acquiring knowledge of what was passing, to neglect his advice; and instantly despatched Mr. Navoni to the Reis Effendi to request an interview, and to say I would dispense with the formality of treaty articles, and accept the two articles we had agreed upon as a treaty; and that, by virtue of my plenipotentiary power, which his excellency would find in the commission, I now exercised it, and wished that the treaty might be signed in this shape without a moment's delay. The Reis Effendi, however, declined this, and said the affair was finished, and the treaty then making out; that he could not see any necessity for changing the usual mode of finishing a negotiation, and that, in a few days, the treaty would be ready to be signed.

I lost no time in preparing a treaty.

Although I had every reason to believe the Seraskier, (commander-in-chief of the army, formerly Captain Pasha, and who, in that capacity, visited the North Carolina, Commodore Rodgers,) was friendly disposed towards us, I determined to pay a visit to him, and requested his excellency to name an hour; he fixed upon the 31st March, at 11 o'clock. I was there at the hour appointed, but found him engaged in reviewing a corps of artillery in the square before his palace. On seeing Mr. N. and myself, he sent his Secretary to conduct us to his own chamber, where he begged we would remain until he had finished the review. We had been there but a short time, before \* \* \* \* \* made his appearance, and who, with insufferable impertinence, walked into the room where we were, and evinced a determination to intrude himself at the interview I was to have with his excellency. As a contrast to this impudence, Mr. Franchini, chief drogoman to Russia, on opening the curtain, and seeing us, instantly retired, and waited in the lobby: he afterwards expressed his disgust at seeing the impertinent intrusion of \* \* \* \* \*. Determined to defeat his attempt to be present, I told Mr. Navoni that we must leave the palace until this fellow withdrew; which we did. The Seraskier, on seeing \* \* \* \* \* walk into the palace, sent his Secretary to place us in another chamber, but he arrived too late; the \* \* \* \* \* having entered the room we were in. The Secretary told Mr. Navoni, afterwards, that the Seraskier was much pleased at my conduct in retiring.

When I was admitted to his excellency, I was received with great kindness. He said he had always been attached to our country and its citizens; and felt a great desire to see the two nations in amity: and, although the business might be considered as finished, yet, as a friend, he begged me to lose no time in *finally* closing the treaty. He said he had reasons for giving this advice, and assured me that I might depend upon his friendship; but he begged me to let no trifling difficulties impede the conclusion; there was no time to be lost. I told his excellency that I was waiting impatiently for the

Reis Effendi to appoint the hour when we should finish the treaty; that it was prepared; and only waited the ceremony of signing. I cordially thanked his excellency for his friendly disposition, assuring him that I should profit by it; at the same time intimating that I was no stranger to the circumstances which prompted him to give me this friendly advice. He repeated it, and said I might rely upon his efforts: he said he expected the Reis Effendi would fix upon the 3d April for the interview.

On leaving the Seraskier's palace, Mr. Nayani went to the Porte, where the Reis Effendi told him that he had appointed Saturday, the 3d of April, for the interview, and he would see me at his palace.

On the 2d of April, I learned that \* \* \* \* \* had been active, and that *Perteve* had actually gone so far as to lodge a written notice, or protest, against the conclusion of the treaty, alleging that he had conducted all the negotiations with the Americans on the principle of their paying five per cent. duty, and that he knew they would pay it. The Reis Effendi, finding the business thus arrested, proposed that a committee of the Divan should be appointed, to be present at the intended conference with me. This was agreed to; and the Reis Effendi, the Chancellor of State, and the Secretary of State, were nominated for that purpose.

On the 3d of April, I repaired to the palace of the Reis Effendi, at eleven o'clock, where I found his excellency and the other gentlemen named as the committee, and the drogoman of the Porte, (a native Turk.) Notice had been given at the Porte, the preceding day, that to-day no business would be done there in consequence of this conference. It was of course known to all the drogomen and ministers that I was there.

After some desultory conversation about America and its improvements, the Reis Effendi observed "that he would be much gratified, personally, to be the one who should finish the treaty between the Porte and the United States; and, as both were equally desirous of entering into amicable relations, he hoped there would be no difficulty." I assured his excellency that, on the part of the United States, there existed a similar desire to be in amity with the Sublime Porte; and, as we required nothing but what was based upon principles of perfect reciprocity, I hoped the affair would now be finished. His excellency then said that his predecessor had asserted, before the Divan, that, from the commencement of negotiations, he had invariably demanded five per cent. duties, and that we were willing to pay it. I expressed my surprise that *Perteve* could have asserted such a thing; for the very circumstance that rendered the negotiation of last year abortive, was his persisting in demanding the five per cent.; and that Mr. Offley, finding this to be the case, instantly demanded his passports: and, although pressed to remain, with the spirit that characterizes Americans, he repeated his demand for passports, and departed. That, in my interview with *Perteve*, when he spoke of the five per cent., I told him it was totally out of the question; the United States would never submit to the indignity of being received on a footing less than the highest power of Europe, or of paying more duties than the most favored nation; and these facts I hoped would convince his excellency that the representation of *Perteve* was entirely without foundation, and that, in no instance, had an American agent listened, for a moment, to any such proposition.

The Reis Effendi, after some conversation with the Chancellor and Secretary, then asked me if I had not consented to have five per cent. inserted in the treaty, with some understanding that it should only last for a certain

time, or that it might be rendered null by a secret clause? I mentioned that, during my conversation with *Perteve*, I had stated, that as he had intimated to Mr. Offley that he wished to have the five per cent. inserted in the treaty in order to enable the Porte to make better treaties with France and the other powers, and which Mr. Offley refused to admit in any shape, yet, to give the Porte a proof of the friendly feeling of the United States, and to aid them in procuring treaties with the other powers, *for my part*, I would consent to have it inserted in the treaty, but with a private and express stipulation that it was for that purpose alone, but that the basis of the treaty should be on the footing of the most favored nation: that *Perteve* declined this private article, observing that he must be guilty of a lie if he sent the ostensible copy of that treaty to the foreign ministers, and granted me a private article, and proposed making it four per cent., which I declined; and told him no officer of the United States could consent to pay a fraction more duty than any other nation; and that these were facts, I appealed to Mr. Navoni, who confirmed them. His excellency then said, that, as this was the only point now in dispute, and that I was formerly willing to accede to the five per cent., either until the treaty was ratified, or by doing it away altogether by a private article, he hoped I would consent now, and the business would be finished. I remarked in reply, that it was true, at the period I landed here, I would have been willing to accede to that arrangement in order to *serve them*, but circumstances now rendered *that* impossible. I told them that \* \* \* \* had openly boasted, and published, even in their newspapers, that it was by their means the late negotiation had been frustrated; and that, although the President of the United States could not for a moment allow himself to believe that the Sublime Porte would permit such an indignity, yet as I had discovered since my interview with *Perteve* that this was really a fact, I could not consent to have this inserted in the treaty; consequently, I must have one based on terms equal to the most favored nation, or I would have none. I begged his excellency to remember that it was by invitation of the Sublime Porte I came here, and they certainly could have no idea of the power of the United States, or they would not think of proposing to place America on a footing beneath the secondary powers of Europe; and I took occasion to remark that the United States' were inferior to no power on earth; that we had treaties with all the nations of Europe, the Porte excepted, and that these were chiefly sought for by them; that in war we had evinced our strength with the two greatest powers of Europe, and had defeated them; and I presumed that his Imperial Majesty would not give an invitation to form a treaty, and insult our nation by placing it among, *and even below*, the inferior powers. If, therefore, the invitation, and their personal assurances to me were sincere, there could be no difficulty, and we might now close the treaty; for I asked for nothing that was not just, fair, and honorable; and hoped his excellency would not make pretensions which I could not admit, as, on no account, could I permit the dignity of our national character to be touched. His excellency then said, if I would consent to have the five per cent. inserted in the treaty only until it was ratified, the business should be closed. I replied that, as I knew this proposition to have originated with \* \* \* \* \*, much as I personally wished to accommodate the views of the Sublime Porte, as an American officer I could not for a moment listen to any such proposition. His excellency then observed that I ought not to pay attention to what other powers said, but pass their assertions without heeding them. I replied, that

if ever they became fully acquainted with the Americans, they would find that they were an open and sincere people, and utterly despised the intrigues so generally used by the European powers; and as I now was well assured that the intriguants \* \* \* \* had mingled in this affair, I could not admit further discussion on the subject; for, if the idea was intended to be persisted in by the Porte, the negotiation must be considered as terminated, and that I should immediately demand my passports.

His excellency intreated me not to be so decisive, but take a day or two to consider. I replied that, personally, it was most painful to my feelings to find that my efforts had been in vain, for I had now spent six months in this business, and had been a great portion of the time at sea, in a stormy winter; but any proposition of the kind he alluded to, was a thing that touched our national honor; and, as an American, I could not permit it, or, if I did, I dare not return to my country.

A lengthy discussion then ensued on this topic: the Reis Effendi showed much management and cool argument. I met the latter in the best way I could, and believe that, in no instance, was I found deficient; on the subject of national honor I was warm, and spoke in a language that alarmed Mr. Navoni and the drogoman of the Porte, (who repeatedly begged me to change the sentiment, but I would not.) Seeing that nothing further could be done, I told them that I considered the business ended, and the subject of a treaty closed. I mentioned, however, that it became my duty to inquire of his excellency in what light the Sublime Porte would view vessels from America bound to the Black Sea, and whether they would be allowed to pass freely. His excellency replied, that, until a treaty was made, American vessels could not pass the Bosphorus. I remarked, with some warmth, that this was a most extraordinary measure on the part of the Sublime Porte, for, by the treaty of Adrianople, the navigation to and from the Black Sea was declared open to all nations, and that the Emperor of Russia had declared so, in his proclamation, to the world; and relying on this, the President of the United States had, in his message to Congress, announced that the Black Sea was open to our commerce, and numbers of American vessels had been fitted out for that quarter, and some were daily expected; that, since the Sublime Porte had given this construction to the subject, it now became my duty, instead of returning to America, to proceed immediately to St. Petersburg and obtain from the Emperor of Russia an explanation of this most extraordinary measure. A considerable pause ensued, during which the three high dignitaries whispered to each other. The Reis Effendi then said this is a matter of vast importance, and could not be concluded in a single day; that he wished me to take some time, and reflect. I replied that no reflection was necessary, as the *dignity* of my country I conceived was touched in a very delicate point, and nothing could induce me to allow *that*, however much it might be detrimental in procuring a friendly compact between the two nations. His excellency pressed me to take time, and said it would be pleasing to himself if I would only give it one day's reflection. I assured him that the more I reflected upon the subject, the more firm I was convinced would be my determination; but, in return for his excellency's friendly reception, and the urbanity I had in every instance experienced from the high dignitaries of the Turkish empire, I consented to wait till to-morrow; and if, unfortunately there was no change in the present aspect of affairs, I should immediately depart for Russia. I then took leave, the ministers rising from the Divan to salute me; the interview lasted four hours.

I spoke in French to the drogoman of the Porte, and he used the same language in conveying to me what the Reis Effendi said; Mr. Navoni taking care that every thing was perfectly understood, and explaining when he conceived the drogoman did not fully or correctly convey the idea. On the 5th of April, Mr. Navoni conveyed to the Reis Effendi my determination to proceed to Russia unless an immediate arrangement was made. His excellency said that the affair should be forthwith laid before the Divan, and the Sultan's determination would be had in a few days.

I learned on the 7th the subject was laid before his Majesty, and that he had given orders to finish the treaty in the manner I required. The Reis Effendi also sent me a message that he would appoint an early day in the following week to see me, and close the business.

On the 11th, the ministers of Russia, France, and England, delivered to the Porte the protocol respecting Greece. I could have wished that our business had been finished before this instrument reached Constantinople, as it cannot but sour the members of the Divan, and I fear the question will cause fresh troubles in Europe.

On the 12th, the Reis Effendi informed Mr. Navoni that he had appointed next day for an interview, and that horses would be at the landing place to receive me in the customary style of ambassadors, expressing also a wish that publicity should be given to the circumstance, and observing that it would be announced to the drogoman that there would be no business transacted at the Porte the following day, as the American commissioner was to have a conference.

On the 13th, I repaired to the palace of the Reis Effendi, where I found the same ministers as on the 3d instant, together with the drogoman of the Porte. After the usual ceremony of pipes and coffee, the Reis Effendi asked me if I still continued in the same opinion as at the last conference? I assured him that, on that point, I was unalterably fixed. He then said that the Sublime Porte, desirous of giving a proof of their friendly feeling towards the United States, had ordered a treaty to be drawn up in strict conformity with the one I had submitted, and that he had now the honor of presenting it. His excellency said that he hoped this proof of good will would be duly estimated by the President of the United States of America, and that this treaty would be the means of extending our mutual intercourse, and of perpetuating the alliance now formed. He said that he was peculiarly gratified in being the organ through whom this negotiation had been terminated, and expressed his own personal good feeling towards our country and its citizens. I replied that, on the part of my country, I reciprocated most cordially the wishes he had just expressed, and assured his excellency that the President of the United States would fully estimate this friendly act on the part of the Sublime Porte; and that, on my return to America, it would be equally my duty and my pleasure to inform the President and my fellow-citizens how much I feel indebted to his excellency, and the other dignitaries of the empire, for the kindness and urbanity I have experienced from them since the commencement of this negotiation, and for the high opinion they have invariably expressed in favor of my country.

His excellency expressed a desire that I would remain here as minister, assuring me that it would be gratifying to the Sublime Porte. I told him it would afford me personally great pleasure to remain, as I was much pleased with Constantinople and with his countrymen, but that the interests of my

family required my presence elsewhere. On taking leave, they all arose from the Divan, and saluted me.

Conceiving that I would be hazarding the interests of the United States by leaving the business unfinished, I intimated to the Reis Effendi, by a special message, that I wished the treaty to be signed and exchanged as soon as possible, and that I would exercise the plenipotentiary powers granted me by the commission, and terminate the affair at once. His excellency was pleased with the proposition, and promised to have copies of the treaty drawn up for signature and exchanged; but, notwithstanding my constant importunities, it was not until the 6th of May, when he said the instruments were ready, and he had appointed the next morning for signing and exchanging them. He intimated that I would be received in the usual style of ambassadors on concluding a treaty, and that horses would be ready for myself and attendants at the landing place in Constantinople. Accordingly, on the 7th of May, I repaired to the palace, where I found the Reis Effendi, the Secretary of State, and the dragoman of the Porte. The Reis Effendi, after a short conversation, signed and sealed the treaty in Turkish, and I did the same with the French translation; and we exchanged them. His excellency expressed nearly the same ideas he did on the conclusion of the negotiation; and I reciprocated his friendly wishes, expressing my personal gratitude for the manner in which I had been received and treated since my arrival in Turkey.

It would be an act of the highest injustice, were I not to express my warmest gratitude to Nicholas Navoni, esq., our worthy and talented dragoman, whose conduct in this negotiation has been beyond all praise.

In this delicate and difficult affair, he has evinced the utmost zeal, integrity, and honor, and I strongly recommend him to the consideration and protection of your excellency. His intimate knowledge of the Turkish language, the high confidence which I have perceived the dignitaries of the empire reposed in him, combined with his native talent, assure me that our country has been very fortunate in obtaining the services of so valuable an officer, and I trust its gratitude will be evinced by making his permanent appointment an honorable and respectable one.

In compliance with the instructions of the honorable Mr. Van Buren, I have dispatched a special messenger for my colleagues to repair here and sign the treaty. The business, however, is already accomplished, and, I indulge a hope, to the entire satisfaction of your excellency.

With profound respect,

I have the honor to be,

Your obedient servant,

CHARLES RHIND.

TO ANDREW JACKSON, *President of the United States.*

*Mr. Rhind to the Secretary of State.—Extract.*

“CONSTANTINOPLE, June 1, 1830.

“I have the honor of enclosing a copy of the treaty which I negotiated with the Sublime Porte, and I trust my conduct in this most delicate and difficult negotiation, will merit the approbation of the President and yourself.

It was necessary to show the Sultan that *something* had been granted for the concessions he had made, and our Turkish friend suggested the private article. You will perceive that it is a *perfect nullity*, in giving only the privilege of consulting with our minister about the best mode of making a contract to procure ships or ship timber; and, moreover, the Reis Effendi said that if the President was not disposed to sign the article, it would be of no consequence, and the treaty would be ratified without it; but added that it would be pleasing if the whole are accepted, in order to lay them before the Sultan at the final ratification."

*Captain Biddle and Mr. Offley to the President.*

CONSTANTINOPLE, June 8, 1830.

SIR: We have the honor to transmit, herewith, a copy of a treaty signed by us in French on the part of the United States, with the Sublime Ottoman Porte, together with a separate secret article. As there exists a difference of opinion between us respecting the secret article, we shall make, as to it, separate communications to the honorable the Secretary of State. We also transmit the original in Turkish, signed by the Reis Effendi on the part of the Porte.

The presents made by us will be covered by the sum authorized to be expended upon effecting a treaty. The whole expense incurred, will exceed the sum authorized. The excess, however, will be of trivial amount.

We have the honor to be,

With great consideration and respect,

Your most obedient humble servants,

JAMES BIDDLE.

DAVID OFFLEY.

To ANDREW JACKSON, *President of the United States.*

Mr. Rhind declines signing the above. He disagrees with us as to the propriety of forwarding these documents by a public vessel of the United States, and informs Mr. Offley that he intends to protest in the British chancellery against our doing so. We, therefore, forward this communication without his signature.











JX 234 .A5 1832

AUTHOR

U.S.  
TITLE

~~Treaty~~

JX 234 .A5 1832

U.S.  
Treaty

